

The strategic environmental assessment directive in the UK: 1 year onwards

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Abstract

This article analyses the status of strategic environmental assessment (SEA) in the United Kingdom 1 year after the implementation of the European Directive on SEA. It summarises the regulatory basis for SEA in the UK, and lists relevant guidance documents. Based on a questionnaire survey of all local planning authorities in England and Wales, it indicates the number and types of SEAs carried out, by whom, how long they took, techniques used, and perceived costs and benefits of SEA. It compares these findings with those of a similar survey carried out in 2001, prior to the Directive.

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1. Introduction

European Directive 2001/42/EC on the assessment of the effects of certain plans and programmes on the environment—the ‘strategic environmental assessment Directive’ (CEC, 2001)—came into effect on 21 July 2004 and applies to plans and programmes whose preparation starts after that date. The SEA Directive requires European Union Member States to ensure that for plans and programmes within its scope:

- an environmental report is prepared on the plan or programme, covering the environmental baseline and problems, links to other plans, programmes and environmental objectives, the

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likely effects of the plan/programme and relevant alternatives, and proposals for mitigation measures and monitoring;

- consultation takes place on the plan or programme and the environmental report with the public, bodies with environmental responsibilities, and any other EU countries affected. Bodies with environmental responsibilities must also be consulted on the scope of the reports;
- account is taken of the environmental report and the views of the public, bodies with environmental responsibilities and relevant other countries in reaching a decision on the final form of the plan or programme to be adopted, and information is made available on how this was done; and
- the environmental effects of implementing the plan or programme are monitored (EC, 2001).

Further information on the SEA Directive and its requirements can be obtained in [EC \(2003\)](#), [Therivel \(2004\)](#), [ODPM \(2005\)](#) and [ODPM et al. \(2005\)](#).

The Directive was supposed to be implemented—transposed into legislation, plus appropriate capacity building—in all Member States by 21 July 2004. In practice, only nine Member States (including the United Kingdom) transposed it on time, with another six fully or mostly transposing it by July 2005.

This article describes the status of SEA in the United Kingdom (UK) 1 year after the implementation of the SEA Directive. It begins with a brief description of the implementing legislation and guidance. It then discusses the number and type of SEAs carried out, by whom, how long they took, and what techniques were used. It concludes with a discussion of the costs and benefits of SEA in the UK.

2. Implementing regulations and guidance

The SEA Directive is legally implemented by separate regulations in the four UK administrations: England, Wales, Scotland and Northern Ireland (the English set also covers UK-wide plans and programmes). All of the regulations closely follow the requirements of the SEA Directive, but they specify the different environmental authorities which must be consulted in each administration, and make provisions on minimum times for consultation. In Scotland, the Environmental Assessment (Scotland) Act 2005 widens the range of strategic actions to which SEA applies beyond those in the Directive.

The Office of the Deputy Prime Minister (ODPM) in England, the Scottish Executive, the Welsh Assembly Government and the Department of the Environment for Northern Ireland have jointly developed and published a practical guide to the Directive. This can be applied to any plan or programme to which the Directive applies, but it is mainly aimed at fields other than land use/spatial planning.

Because of the different land use planning systems operating in the four administrations, each governed by detailed legislation or policy, separate SEA guidance for land use plans has been developed in the different administrations. In England, the SEA Directive has been subsumed within a new system of sustainability appraisal (SA) which is mandatory under the Planning and Compulsory Purchase Act 2004 and which strengthens the previous arrangements for SA ([DETR, 1999](#)). The new system requires an SA report to be produced on the plan which incorporates the environmental report required under the SEA Directive, but covers a wider range of effects and requires consultation of social and economic as well as environmental authorities ([ODPM, 2005](#)). Guidance on SEA of land use plans has also been published in Wales and Scotland.

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