



## Public participation in Strategic Environmental Assessment: A practitioners' perspective<sup>☆</sup>

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### ARTICLE INFO

#### Article history:

Received 24 March 2014

Received in revised form 3 September 2014

Accepted 12 September 2014

Available online 28 September 2014

#### Keywords:

Strategic Environmental Assessment

Public participation

Questionnaire

Decision-making

### ABSTRACT

Public participation is considered a distinguished feature of Strategic Environmental Assessment (SEA), and the SEA literature has traditionally identified several benefits attached to it, from more open and transparent decision-making to greater acceptance of plans/programmes' output by the affected population. However, relatively little empirical evidence has been collected so far on the extent and outcomes of public engagement as it is being carried out in current SEA practice. In this article, we present the results of a study on this theme based on a direct survey of 47 SEA practitioners and scholars from different countries. Respondents were asked to report their experience about a number of items including: the frequency of SEA process featuring deep public participation; its overall influence on plan/programme-making; the identification of the main factors impeding it; the correlation of public involvement with environmental outcomes; and the increase of costs. Results indicate that public engagement in current SEA practice is still relatively limited and with limited influence on decision-making. The main impeding factors seem to be: lack of political willingness by proponents; insufficient information on the SEA process by the public; and weakness of the legal frames. However, respondents also report that when effective public engagement takes place, benefits do arise and identify a positive correlation between the degree of public involvement and the environmental performance of plans and programmes. Overall, findings suggest that public involvement has indeed the potential to positively influence both SEA and decision-making, although this should be supported from the policy side by stronger legal frames, higher requirements and improved technical guidance.

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### Introduction

Public participation is considered a distinguishing feature of Strategic Environmental Assessment (SEA) and a major interest of scholars and practitioners, as testified by the increasing number of publications on this theme: (see e.g. Aschemann, 2008; Bonifazi et al., 2011; Doelle and Sinclair, 2006; Elling, 2011; Gauthier et al., 2011; Hartley and Wood, 2005; Morrison-Saunders and Early, 2008; O'Faircheallaigh, 2010; Walker et al., 2014). Its importance is also reflected by legislation, see e.g. the EU SEA Directive or the SEA Protocol to the 'Espoo Convention' (UNECE 2003).

'Participative SEA' is one of the SEA performance criteria of the International Association of Impact Assessment (IAIA, 2002), defined as a process that informs and involves interested and affected public and

government bodies and explicitly addresses their inputs and concerns throughout the decision-making process. Several references to the need to involve the public and take its concern into account in SEA are present in the SEA literature (e.g. Fischer, 2007; Jones et al., 2005), in national SEA guidelines (e.g.: Partidario, 2012 for Portugal; or ODPM et al., 2005 for the UK), as well as in evaluation checklists designed to assess environmental reports' quality and/or SEA processes and outcomes, as the IEMA Environmental Report Review Criteria (IEMA, 2005), Lee et al.'s (1999) Environmental Appraisal Review Package, or the OECD SEA guidelines for development cooperation (OECD, 2007).

Overall, the SEA community expresses an almost unanimous consensus about public participation being a valuable and desirable element of SEA. For instance, one of the seven overarching SEA effectiveness criteria identified by Fischer and Gazzola (2006: 401) through the examination of forty-five key international SEA publications (up to 2002) is that "SEA should be stakeholder-driven, explicitly addressing the public's inputs and concerns, ensuring access to relevant information of the PPP making process". Despite this, however, the issue still poses a number of problems: as Gauthier et al. (2011) point out, theoretical and practical aspects of public participation in SEA are still research priorities and continue to present challenges and gaps and deficiencies are identifiable in the literature (Chaker et al., 2006, p. 49). The benefits delivered by public

<sup>☆</sup> Both authors equally contributed in designing and performing the research. CR drafted the Introduction, Empirical evidences on current practice in the literature, Methods, Effectiveness and Influence of public participation in SEA and Answers to the open questions sections; GB wrote Theoretic approaches and Characteristics of respondents. Discussion and conclusions section is to be attributed to both authors equally.

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involvement to SEA may appear obvious and substantial, which often leads to a poor articulation of the arguments in its favour; in turn, very different objectives can be attached to it, from a simple, unilateral, information process to a deeper engagement of affected communities, inclusion of marginalized groups and even shift of current power equilibrium (O'Faircheallaigh, 2010, see also **Theoretic approaches** section).

Whilst so far the debate has focused on reasons and options for public engagement in SEA and the identification of benefits for the decision-making and the resulting plans/programmes, relative less information is available on how things are actually going in practice. This is confirmed by two recent reviews of the current state of the art of SEA theory and practice (Fischer and Onyango, 2012; Fundingsland and Hanusch, 2012) both highlighting the need to collect more evidences on the actual added value delivered by SEA to the decision making process as well as on its costs and benefits. In this frame, it would be important to know to what extent public involvement in turn is adding value to SEA and the relative decision-making process, or identifying the reasons why it is not.

In this paper, we attempt to contribute to the debate by surveying SEA scholars and practitioners about their experiences “on the ground” with the aim to identify strengths and weaknesses of current practice as well as possible solutions to enhance public participation.

The paper is structured as follows: in **Public and stakeholder involvement in SEA: an overview** section we further elaborate on public participation and SEA by resorting to international literature on the topic; in **Methods** section, the methodology utilized to carry out this research is explained; in **Results** section results are presented and discussed; and **Discussion and conclusions** section concludes the paper with some final remarks and points to possible future research.

## Public and stakeholder involvement in SEA: an overview

### *Theoretic approaches*

A widely asserted argument in the literature on Environmental Assessment is that, since its inception with the US NEPA (National Environmental protection Act) in 1969, it was conceived not only as a tool to improve the environmental performance of individual projects or plans, but also to change governance systems and the worldviews and behaviour associated with them (Bina, 2007; Wallington et al., 2001).

Involving affected communities in decisions having an impact on the environment they lived in thus seems to respond to this expectation. Internationally, the need to involve the public in decisions concerning environmental issues was first established by principle 10 of the Rio Declaration, and subsequently reinforced by the Aarhus Convention.<sup>1</sup> In Europe, public involvement in decision-making concerning the environment was formalized by the EIA directive and later by the SEA Directive; the latter not only establishes minimal requirements for public involvement, but also requires that the outcomes of consultation processes be taken into account by the decision-makers in adopting the final plan/programme (P/P). To provide public participation in SEA is also one of the main objectives of the SEA Protocol to the ‘Espoo Convention’ (UNECE, 2003) entered into force in July 2010.

Public and stakeholder engagement, however, is an umbrella term encompassing a variety of different processes (Gauthier et al., 2011). Different degrees of public and stakeholder engagement exist, that can be used for different purposes, entails different methods and tools and

can be applied to different phases of the decision-making process. At the time of the raising up of SEA (e.g. Therivel et al., 1992), the debate on Sustainable Development was increasingly acknowledging the importance of public involvement to design and implement sustainability. Parallel, the effectiveness of traditional liberal democratic institutions in delivering environmental sustainability was increasingly questioned, and the potential link between environmental problems and deliberative democracy was highlighted by green and ecologist theorists (Dryzek, 2000; Smith, 2001). These theoretic developments reverberated on the evolution of SEA theory, initially dominated “by positivism and the implicit assumption that objective and quantifiable evidence on the environmental effects of decisions would lead to better decision-making” (Fundingsland and Hanusch, 2012:16). In this frame, it was assumed that public engagement in SEA would lead to more open and transparent decision-making, increased representativeness, and the identification of conflicts early in the process to reduce the risk of litigation by affected stakeholder groups. This in turn would help avoiding implementation delays. All these factors would ultimately underpin the legitimacy of the final P/P and its acceptance from the affected communities (IAIA, 2002; Jones et al., 2005; Sadler and Verheem, 1996; Therivel and Partidario, 1996).

Recent reviews of the current state of the art of SEA theory and practice (Fischer and Onyango, 2012; Fundingsland and Hanusch, 2012) allows us to appreciate how the SEA literature has significantly evolved over the years, a development made possible by the contamination with theories and concepts from different research fields, such as planning theory and policy science. In this context, also the debate on the role and purpose of public participation within SEA has evolved from the somewhat naïve view of the early days. A growing attention is now being paid, for instance, to the potential of SEA for delivering environmental justice (Connelly and Richardson, 2005; Jackson and Illsley, 2006; McLauchlan and João, 2012) and to aspects such as consideration of values, power and distributional effects (Walker, 2010; Cashmore and Richardson, 2013).

Overall, as Gauthier et al. (2011) point out, theoretical and practical aspects of public participation in SEA are still research priorities and continue to present challenges. These authors discuss public participation in SEA linking it to the evolution of planning theories from conventional rational-comprehensive planning to interactive and transactive planning, whereby stakeholder interaction, communication and public involvement play a central role (Forester, 1999; Friedmann, 1993; Healey, 1997).

Bonifazi et al. (2011) developed a conceptual framework for “democratic SEA” drawing from democratic evaluation theories (Hanberger, 2006) and identified three democratisation processes, derived by Dryzek (1996), SEA may contribute to: i) broadening environmental citizenship; ii) expanding the scope of democratic control; and iii) promoting participants' empowerment.

O'Faircheallaigh (2010) distinguishes three main roles for public participation in EA: i) as an aid to decision making which remains separate from the participating public; ii) as a mechanism for achieving a role for the public as joint decision makers; and iii) as a mechanism for reconstituting decision making structures.

While exploring the role that power relations play in Environmental Assessment, Cashmore and Richardson (2013) identify public participation as one of the three main focuses for research on that topic; they found that Environmental Assessment has typically been conceived as a mechanism for ‘opening-up’ decision making and empowering stakeholders who were formerly excluded or otherwise marginalised (Devlin and Yap, 2008).

Public participation has been interpreted by some scholars as a mechanism to reduce the likelihood of conflict by ensuring representation of different interests and values, and by promoting transparency. Some researchers, however, have noted that public participation may actually reify existing power relations rather than challenge them (Devlin and Yap, 2008).

<sup>1</sup> The “Convention on access to information, public participation in decision-making and access to justice in environmental matters”, negotiated in the framework of the United Nations Economic Commission for Europe, was adopted on 25 June, 1998 in Aarhus (Denmark), and entered into force on 30 October, 2001.

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