Strategic environmental assessment in Scotland

A report compiled from responses to an independent survey of SEA experience
June 2019 (from a survey conducted in October 2018)

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Overview

This report is based on an independent online survey of people engaged with strategic environmental assessment (SEA) in Scotland, October 2018. The survey was designed to contribute to research into effective SEA in the Scottish context (as documented in McLauchlan and João 2019). This report begins with information about who took part in the survey, then provides a summary of responses to the questions set out in Appendix A.

There were 35 full responses, from local authorities, statutory consultation authorities, other public bodies, NGOs and the Scottish Government. All participants had been involved with SEA for a period of more than 3 years; 21 people had 10 years' experience or greater. Many of the questions were open ended and this yielded much information about people's experience of SEA.

Many claimed they had seen benefits from SEA but there was also a number of responses questioning SEA's efficacy – internal consistency across the questions suggests that particular participants were supportive or in opposition to SEA. Some participants understood SEA as being context dependent – with the potential to vary with responsible authority and the plan, programme or strategy to which it is applied.

In Scotland all public bodies are required to carry out SEA, however, the main application was identified as land use planning. Changes influenced by SEA often related to site selection in development planning, with some responses identifying a lack of connection between the plan and the SEA. The purpose of SEA was clearly identified by many as being about accountability of environmental concerns, with an understanding of whether it is achieving that purpose often being related to how it influenced plan making.

A range of suggestions were made for how SEA can be improved and, in a separate question, many respondents noted the benefits of a SEA Forum for getting practitioners together to discuss their experience. The key guidance was that supplied by the Scottish Government, guidance from consultation authorities and that produced in house by participants' organisations were also widely used. One third of the respondents has received some form of training in SEA.

Space was left for 'Any final comments?' Self-directed responses to that question are set out in full at the end of the report. These reinforce key points made previously, with some indicating SEA is a key part of plan making and others that it is a burden. Two responses were supportive of research into this topic. One of these highlights the importance of research that is independent and a need for further investigation into decision makers' and developers' opinions about SEA.

Contents

1. Legislative and administrative context

The legal necessity for SEA in Scotland was driven by the European Union (EU) Directive 2001/42/EC on the assessment of the effects of certain plans and programmes on the environment, known as the 'SEA Directive'. However, there are considerable differences between the legislation in Scotland and the requirements of the SEA Directive that have prompted some unique administrative arrangements. Thus, some context is necessary to enable this report to be understood by people unfamiliar with SEA in Scotland.

The European Commission introduced the SEA Directive in June 2001 and it first became active in many EU member states in July 2004. There were subtle differences in how the SEA Directive was transposed in each part of the UK – England, Northern Ireland, Scotland and Wales. The English regulations apply where a relevant plan or programme is taken forward either in England or in more than one part of the UK. A broadening of SEA in Scotland had party-political support in advance of The Scottish Parliament being set up in 1999. This eventually led to the Environmental Assessment Act 2005 (the SEA Act), in force from 20 February 2006.

The process of SEA in Scotland echoes international practice but the SEA Act means SEA has to be applied to broader range of strategic initiatives than in all other EU member states. The SEA Directive covers plans and programmes, in a range of sectors, although most of these are concerned with land use and the physical environment. The SEA Act means that all 'public authorities' have to undertake SEA of all of their plans, programmes and strategies (there are some minor exemptions). In this case 'strategies' have been equated with 'policies' (Scottish Government 2006). Thus, SEA is required of draft legislation, and other 'high-level' policies normally exempt from SEA across the rest of the EU alongside many plans, programmes and strategies not directly concerned with land use.

When the SEA Act was being debated in The Scottish Parliament in 2005 it was recognised that such a broad application of SEA could be resource intensive. Thus, an extra stage was added called 'pre-screening'. Normally if there is doubt about whether or not SEA is needed, then a plan, programme or policy is 'screened' to determine whether it could have significant environmental effects. Pre-screening is essentially a form of screening, meaning that when a plan or programme was thought to have "no effect" or "minimal effect, in relation to the environment" no assessment is required (SEA Act 6 (3)). The Scottish Government must be notified of pre-screening decisions.

To manage a broad application of SEA the Scottish Government (pre-2007 known as the Scottish Executive) set up the SEA Gateway. Public bodies doing SEA (called "Responsible Authorities"), submit statements and reports to the Gateway. Where relevant the SEA Gateway then sends statements or reports to organisations required to offer opinions on certain aspects of the SEA process (known as "Consultation Authorities") who then send their feedback for the Responsible Authorities back through this channel. The SEA Gateway keeps records of all of this activity and makes it available online via a registry known as the SEA Database (Scottish Government 2019). Alongside this, the SEA Gateway supports the development of guidance (originally including SEA templates) and a yearly opportunity for SEA practitioners and others with an interest to meet (the "SEA Forum"). A separate internal technical unit assists in the application of SEA across the Scottish Government.

2. Research approach

Inspiration for our survey was drawn from a set of questions put together by Ainhoa Gonzalez Del Campo and Riki Therivel in 2018 and made available to people researching SEA effectiveness in different countries (some outcomes of this wider project are discussed in Therivel and González 2019). Thus, our survey was informed by broader debates about SEA effectiveness together with previous research into SEA undertaken by us (particularly McLauchlan and João 2005; João and McLauchlan 2014). Responses to our survey, together with information from the SEA Gateway, have been used to inform further research work (McLauchlan and João 2019). Survey questions are available in Appendix A.

Prior to completing the survey, participants had to consent to their anonymised data being used. Responses have been coded to provide very broad information about the type of organisation to which each respondent was affiliated. There was often internal consistency in relation to a participant's support or otherwise for SEA that influences what can be understood from the survey overall. Thus, while ensuring no individual is identifiable, responses were numbered for cross referencing throughout the report (e.g. Consultation Authorities would be numbered CA1, CA2 etc).

The survey was made active on 4 October 2018 with a deadline of 15 October, reminders were sent out on 11 October – responses were then received until 25 October. Emails were sent via a list of people interested in SEA held by the Scottish Government, directly to representatives of the three statutory consultation authorities and Scottish Environment Link's members (the forum for 35 voluntary environmental organisations). The Law Society of Scotland sent it to their planning law and environmental law sub committees and the Royal Town Planning Institute (RTPI) tweeted information to their followers. Appendix B provides indicative wording of the call out.

There were 35 largely complete responses, 32 people answered all the questions and three answered most of them. There were a number of other responses where the background data had been completed (Appendix A, Questions 1-9) but the main substance of the questions had not been filled out – these responses have not been included. This report presents an overview of the results, beginning with contextual information about the survey respondents (section 3), then providing an extensive overview of responses to questions regarding: the context in which SEA takes place (section 4); changes made as a result of SEA (section 5); the purpose of SEA (section 6 and 7); SEAs effectiveness (section 8); potential improvements to SEA (section 9); engagement in the SEA Forum (section 10); literature consulted (section 11); SEA training (section 12); and finally a section with any other comments (section 13).

3. Survey respondents (Q1-9)

The first set of questions provide background information about the participants with regard to their relationship to SEA. Figure 1 provides a summary of which type of organisation they belonged to. From the optional question 'Organisation name' (Q2) it was clear that representatives of all of the statutory consultation authorities took part, together with representatives of at least seven of Scotland's 32 local authorities.
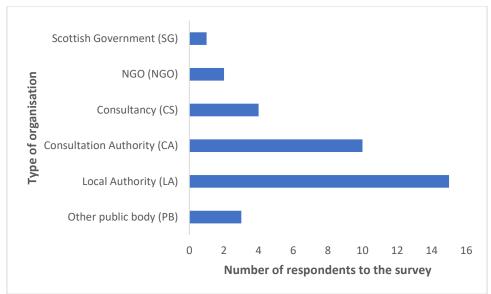
Figure 1: The number of respondents to the survey organised by the organisation to which they were affiliated. The largest category comprises representatives of local authorities.

A bit more detail about who took part was provided by a question about the current role (Q3). Those involved in consultancy were largely 'Directors', 10 of the people from local authorities describes themselves as being a 'planner' in some way (two of these refer to SEA), there were two other SEA specialists, ecologists, environmental officer and someone working in strategic management. NGOs were involved in research and planning.

Figure 2 sets out the Main SEA topics as set out by the EU SEA Directive identifying which ones were most relevant to the jobs of participants (Q6) – in this case more than one category could be chosen. The three main areas which were most often selected were 'town and country planning', 'land use', and 'transport' respectively. The job descriptions of 15 participants (Q3) directly reflected their involvement with planning with most others involved in strategic management or policy in some way. Figure 2 illustrates that three topics – agriculture, forestry and energy – were not referred to by any of the participants.
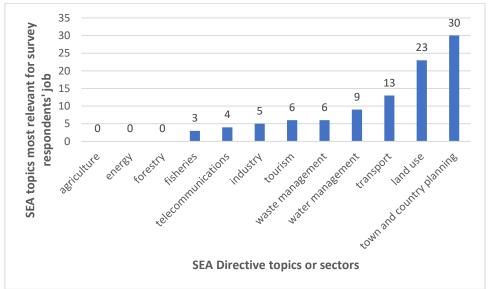

Figure 2: An outline of which of the main SEA topics (as set out within the EU SEA Directive) were most relevant to the jobs of survey participants (Q6)

Participants were asked about their most recent SEA experience (Q7) and this was cross tabulated with the type of organisation they work for – as presented in Table 1. This very clearly differentiates the roles of different organisations – 3 out of 4 of those identifying themselves as involved in Consultancy were 'Consultants carrying out SEA'. All of the consultation authorities were involved in reviewing SEA and all of the Local Authorities were responsible authorities carrying out SEA.

Table 1: The type of organisations participants' work for in relation to their current self-reported SEA experience (Q7)

Organisation / *SEA experience*	Consultancy	CA	LA	NGO	Other public body	Scottish Government	**Total**
Consultant carrying out SEA	3						**3**
Consultation authority reviewing SEA		10					**10**
Participating in SEA consultations (as an interest group or member of the public)	1			2		1	**4**
Responsible authority carrying out SEA			15		2		**17**
Studying SEA					1		**1**
Grand Total	**4**	**10**	**15**	**2**	**3**	**1**	**35**

CA = Consultation Authority
LA = Local Authority

Although this does show some clear differentiation of roles depending on the type of organisation a particular person works for – people take on, or have experience of other roles related to SEA. Of the 35 participants, 22 said they had just undertaken one role in relation to SEA, whereas 13 indicated they had experience of more than one (Table 2).

Table 2: Participants experience of undertaking more than one role in relation to SEA (Q8)

Organisation / More than one role?	Consultancy	CA	LA	NGO	Other public body	Scottish Government	**Total**
No	2	8	9	1	1	1	22
Yes	2	2	6	1	2		13
Total	**4**	**10**	**15**	**2**	**3**	**1**	**35**

Those involved in Consultancy had experience of being a "Local authority officer conducting SEAs" and as a developer. Consultation Authorities had provided support for their "own SEA obligations as a Responsible Authority. This includes providing advice on plans, policies and strategies that are likely to qualify under the legislation, advising on the likely significance of effects and where relevant supporting SEA activity where we undertake an assessment" alongside "Undertaking SEA work (all stages) in the context of our organization's duties as a Responsible Authority". The six Local authority officers with other experience of SEA ranged from "Advisory role to a Planning Authority … and assisting at the SEA Forum", "Carrying out assessment", "Consultation authority reviewing SEA", "General advice to others in this authority", reviewing "SEA reports produced by other organisations" and "producing SEA and being involved in the process of producing an SEA for a number of local plans and other

strategies". The one NGO with additional experience had "prepared SEA reports in the past for consultancy". The representatives of Other public bodies had experience in being consulted in SEA and research into users of SEA.

All participants had been working in some way with SEA for at least 3 years – and the longest for 25 years (Figure 3). There were 21 people that indicated they had been working in SEA in some capacity for a period of 10 years or greater (any that said around 10 years have been included in the 10<15 year category).
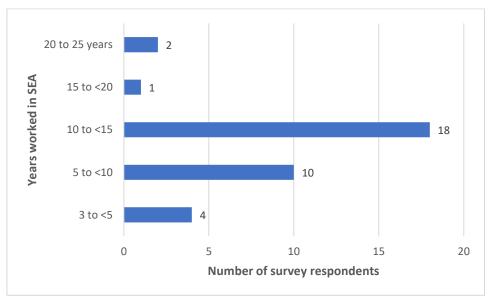

Figure 3: The length of time survey respondents had been working in SEA in some capacity (Q9)

4. Understandings of the context and decision-making situation in which SEAs are carried out (Q10)

Survey respondents expressed a wide variety of understanding of the context and decision-making situation in which SEAs in Scotland have been carried out, several within a single response. For example, one Consultation authority identified that it varies hugely by Responsible Authority and the sector in which it is being applied (CA8). With another stating "[while] SEA in Scotland potentially applies to a wide spectrum of public plans, policies and strategies, the focus has been those caught under the directive, and more specifically those related to land use planning." (CA6).

Indeed, 14 responses made direct reference to land use development planning in the local authority context, with one citing planning and transport as the main areas covered (LA4). It was noted by one consultant (CS3) that "sustainability and sound environmental practice was part of the vision of the plans". Three noted that SEA "formalises historic 'good practice' in preparing development plans that ensured due account was taken of environmental consideration in policy formulation and the site selection process" (LA11, expressed also by LA5 and LA9). Although, this may be accompanied by some reluctance to undertake SEA and thus to consider environmental issues separately (LA9).

In two cases (CA1, LA10) little political interest in SEA at the local level was noted, with information, such as environmental reports, often not being provided to elected members (CA1). One response stated that "politicians have tended not to take much interest in SEA"

but it had been beneficial in "broadening the discussion of environmental matters amongst staff who may not have previously been aware of such impacts" (CA6). In contrast, two cited political support for SEA (LA2, LA3) with one lengthy response detailing how:

> "SEAs are viewed as a welcome tool to inform strategic planning across the Council and in our work with partners. We have a State of the Environment Report which is updated every two years. The findings from each edition are reported to our Executive Committee, relevant Partnership Boards and meetings and other interested groups. Annual SEA work and progress is also reported through the Council's governance structures, including elected members and senior management. We have a Corporate SEA Working Group, which has representation from across the Council's services. This helps to ensure buy in from across the Council. Our Chief Executive also personally signs off all pre-screening opinions and screening determinations." (LA2)

Nine indicated that SEAs are welcomed or had positively impacted on decision-making (CA3, CA9, LA2, LA3, LA4, LA8, LA11, LA12, NGO2) with another 10 suggesting a variety of experiences (CA4, CA6, CA8, CA9, CS1, CS3, LA10, LA14, NGO2, PB2). Five respondents expressed very briefly that SEA had no or limited impact (CA5, CA10,LA1, LA6, LA7) with others giving a lengthier response to the same effect (CA1, CA2, NGO1) including that it may just be "tweaks around the edges" (CS2) – prefiguring the following question in the survey regarding key changes made as a result of SEA. Whereas 11 acknowledge that often key decisions were already taken in advance of SEA being done, or SEA was done in parallel with existing processes. This "retrofitted" SEA may be a 'tick box exercise" or "a token effort" with SEA coming too late in a process "fiddl[ing] the results" (CA4). One consultant stated that "The fault is not necessarily with SEA per se, but more with the quality of plan making" (CS1). Responses offered solutions to this including: "My experience is that SEA work carried out by the person or team developing the PPS has a far greater influence on plan-making and decisions than work carried out by a consultant or a separate team." (CA7)

One consultation authority representative stated that SEA was "diligently being done by public bodies on strategies and plans that are never going to have a negative impact on the environment – a total waste of time and resources." (CA1) One response from an NGO (NGO1) identified that SEA may give the impression that issues have been dealt with at the high level but that the limited information means that they come with the caveat that "further work [needs] to be done when the developments come forward." (NGO1)

5. Key changes made to the plan, programme or strategy as a result of the SEA (Q11)

Key changes made to the plan, programme or strategy as a result of the SEA are – as one respondent noted – context dependent (SG1). In seven cases none or no substantive change was reported (CA1, CA10, CS2, LA1, LA13, LA15, NGO1) with one stating that "I don't believe it usually works that way" (CA1) and another that it made plan making more difficult as a result of "an extra layer of obstacles" (LA5). The plan is often written separately, and the overall goal of the plan may conflict with environmental issues (CA5). One local authority planner detailed how policies initially intending to foster "sustainable economic growth" that would impact on the environment were altered and concerns were added to a local development plan supplementary guidance (LA10) – thus the SEA was used to ameliorate a conflict between activities intending to promote economic growth and environmental protection.

There may be no change but "new/additional environmental information is often added to the plan or strategy" (CA2). SEA also has a role in indicating relevant mitigation or modifications

(CA6, CA8, PB2) including inspiring policy wording that recognises the need to be aware of sensitive habitats when planning development (NGO2). One consultation authority representative discussed their experience of being involved with SEAs of plans that were already "environmental in nature" – in that case SEA had a role in "confirming positive outcomes" or shaping the plan to improve environmental aspects (CA3) though the application of a "robust and consistent methodology" (CA3). One respondent indicated that there was evidence of an increased focus on environmental variables as a result of SEA (PB3).

Direct changes from SEA may be difficult to observe as these are normally "subtle and part of an iterative process" by enhancing transparency including through "ensuring that alternatives are considered and [giving explanation] of why a particular option or approach is preferred" (CA6). SEA had motivated change when closely linked to a plan, such as environmental consideration being integrated into the wording (CS2, LA4), including of "the main components e.g. vision, aims, objectives and actions". This was credited with "reduc[ing] environmental impacts where possible through thinking about alternatives" (LA4).

Others said that SEA was used to shape spatial strategies (LA6) and several responses discussed it having an important role in local development planning as a site selection tool (CA4, CA7, LA8, LA10, LA11). This was viewed as a "particularly useful 'evidence base' at public consultation events" (LA11) and there was potential for it to foster "better communication with minority groups" (LA3). Although, it was reiterated that it can be used to "fiddle the results" by supporting a pre-determined site selection (CA4). One response indicated that the positive influence of SEA is difficult to identify because considering environmental impacts is already part of planning (LA9). Another interpreted the SEA process as influencing "the plan as it is prepared [securing] changes to plans which are beneficial to our environment" (LA2).

6. The purpose of SEA (Q12a)

When asked to describe the purpose of SEA a number of dimensions were highlighted, with several being cited in the same response. The majority, 26 in total (of 34 responses), specifically stated that the purpose was to take account of either environmental concerns, effects, matters, factors, issues, implications or impacts of some form in decision making, with two stating that SEA should be 'integrated' (CA6, LA4) or 'early' (CS1, CS4). Two responses discussed minimising environmental effects (CA2, CA3), another that they could be mitigated or enhanced (CA9, a similar sentiment was expressed by LA4) or avoided and reduced through mitigation (CA4). A further three acknowledging that such effects (or considerations etc) could be either positive or negative (LA4, LA10, LA14).

The word 'significant' was employed in five responses (CA4, LA4, LA6, LA8, NGO1), although one of these (LA8) used this without directly referring to the environment. Considering the environment was linked to the support of sustainable development (CA1, LA1) or sustainability (LA9), potentially in combination with environmental sustainability (CA1, PB3). Three made reference to public involvement (consultation or participation) as part of this process (CA6, CS1, LA8). Two of the responses specifically discussed SEA's role in facilitating 'transparency' (CA6, CS2) with the former linking this to 'openness'. One response made reference to SEAs capacity to support "social learning re. environmental policy and related issues" (CS2).

One comment drew attention to the legislative nature of SEA, stating the purpose was "No more or less than that set out in relevant SEA legislation and guidance" (LA11), whereas another referred to this in passing (CS2).

7. Measuring or evaluating whether SEA is achieving its purpose (Q12b)

The fact that it can be difficult to measure or evaluate that SEA is achieving any given purpose was mentioned by four respondents from three different types of organisations (CA1, CA6, CS1, LA7); one had "no idea" how this could be done. (LA1). One response briefly said that SEA was "not achieving anything" (LA5) and another that it was "too heavy handed to be effective" (LA15). But the majority of the responses suggested different ways how to measure or evaluate that SEA is achieving the range of interrelated purposes referred to in Section 6.

Many participants (14 out of 35) mentioned how SEA influenced the plan. One expressed this eloquently as follows: "SEA preferred options are suggested through the assessment process and fed back to the person responsible for writing the Plan, as well as SEA suggested alterations and mitigation; where the SEA preferred options, alterations and mitigation are then translated into the plan itself this is considered a success with regards to the influence SEA has had and achieving its purpose" (LA4). While another respondent suggested that "it would be very interesting to see examples of where SEA led to a different decision than the initial preferred suggestion" (NGO1).

Eight respondents mentioned monitoring, including the evaluation of the post-adoption statement, monitoring the plan, and making sure the plan includes measures to mitigate/enhance/monitor any potential issues identified within the SEA and that these are updated and reported on (CA5, CA8, CA9, CS3, LA2, LA10, LA11, LA12). One of these respondents stated "It is not difficult to prove that consideration has been given to something - acting on it is harder" (CA5).

The importance of ensuring that the environment was not deteriorating was mentioned by six respondents (CA2, CA4, CS4, LA2, NGO2, PB3) with two of these also directly referring to sustainable development or sustainability (LA2 and CS4 respectively). One respondent gave an outline which summarises the issues mentioned above:

> "The outputs are fairly easy to evaluate - was an assessment undertaken, was it integrated, did it find anything, what happened as a result of this, was the plan changed, were predictions monitored. However, the actual impact of SEA - and whether these changes might have occurred in any case - is very difficult to evaluate. In general terms, I would expect to see plans, programmes and strategies that demonstrate a clear awareness of the environment and the ways in which what they are doing interacts, impacts upon or is influenced by the environment - as opposed to a very narrow or exclusively social/economic view of the issue at hand" (CA6).

Only one person made reference to checking the levels of engagement in SEA consultations (CS2).

8. What participants understood by "effective SEA" (Q13a)

There is a lot of practitioner and academic discussion about the effectiveness of SEA and so survey participants were asked what the understand by "effective SEA". Five directly said it should be an integral part of plan making, running alongside it from the beginning (CA1, CA4, CS1, CS4, LA9), where "plan makers take early and focussed consideration of environmental matters and potential effects from their proposals" (LA2, also LA9). That "actively shapes the plan and its purpose" (CS3, also NGO2 and LA14) so that "the environmental impacts are

reduced" (NGO2, also LA11) or the "environment is properly protected" (LA3). Through monitoring it should "continue to influence the development of the plan" (CS4).

Effective SEA would consider and assess all reasonable options, note negative ones and suggesting mitigation (LA4), another went further to say that it would present "GENUINE potential alternatives" [capitals used by participant] (CA2, also LA12). There is a need for SEA reports to be clearly written (CA7, LA8, LA12) understandable with sufficient information but not too lengthy (NGO1), one that "focuses on the key issues" (LA6) and is "proportionate" (CA9, PB3). One respondent identified the SEA should be "well-researched" (CA7) with another stating it "should not rely too heavily on references to other publications" (LA8).

One response from a consultation authority came back to the idea of the purpose of SEA, with effectiveness being "the extent to which SEA has achieved its purpose – to inform, influence, support, enhance environmentally sustainable plan making" (CA6) "to ensure policy and planning choices are made sustainably" (LA13, also CA10). Others were much less serious saying "There is no such thing" as effective SEA (LA5) or that it or they are "few and far between" (LA1).

9. How the SEA process in Scotland can be improved (Q13b)

The question 'What would help to improve the SEA process in Scotland?' received very mixed responses. There were some brief negative comments such as "get rid of it" (LA1, LA5) or others simply stating "Don't know" (LA13) but alongside this there was a lot of nuanced discussion about what might improve the broader context for SEA. Others thought too many plans, programmes and strategies seemed to not be going through SEA, noting again that the context in which they were applied tended to be of already 'environmentally friendly' plans (LA7). There might need for a "[w]ider roll out of SEA across all sectors (not just planning and transport)" (LA14).

Some advocated a standardised system (CA1) with simplified templates to make the reports shorter and more accessible (LA8, also CA1, CA4) or the possibility of a statutory checklist to ensure "you have got the procedures 100% right" (LA7). Another engaged with the problem of setting up false alternatives that will never be adopted (CA2). It was thought that "a suite of GENUINE alternative approaches to SEA" could be put forward whilst acknowledging this could be resource intensive (CA2) [capitals used by participant].

One planner stated that the "move from the vast [first official broader guidance on SEA, the SEA] toolkit, to the smaller advisory report was much appreciated" (LA12). Others indicated guidance should be less prescriptive to make SEA more "flexible and useful" (CS4). It was specifically suggested that Local Development Plans could contain a statement for how they have taken account of their associated SEA (NGO2). This indicates that although the SEA process may run alongside plan making there is no direct requirement for it to feature in the planning documents.

Several discussed the need to make SEA proportionate (CS4, LA10, PB2) – SEA was sometimes time consuming and resource intensive (LA10) and reports long and technical (LA12, LA15). More rapid agreement from stakeholders about the key issues is required (NGO1). Further "Staffing levels in local authority policy planning teams are declining and often the skills and knowledge required to complete the assessment are not available" (LA10, also LA12). There may also be "epistemological differences between SEA practitioners and planners" (CS2). One response indicated need for more rapid agreement from stakeholders about the key issues (NGO1).

One response (LA7) indicated a need for a separate public agency to do SEA "building up expertise, commissioning of research where information is lacking, and consistency on what is considered a significant effect" (LA7). This would help to get over conflicts of interest in the public sector but also means that the SEA could be further separated from the planning context, potentially lacking the "timing and integration" others thought SEA needs (CA6, also CA9, PB3). Indeed, another response identified a necessity for "[m]ainstreaming the requirements into other planning (and programme development) processes rather than having it stand alone as a 'bolt-on'" (CS3).

Separating out SEA from the broader plan making process might generate a "lack of value placed on SEA evidence" (CS2) and there was need for "Greater political appreciations of its purpose" (LA11), communicating "the benefits of SEA to plan and policy makers" (LA14) and "[i]ncreased buy-in at the upper levels of [responsible authorities] to the benefits of effective SEA, as opposed to seeing it as a hurdle of tick-box exercise." (CA8)

One suggested the need for "A few legal cases to challenge authorities that have not carried out SEA or done it in a tokenistic way or have come to it too late for any practical benefit to result" (LA9). There was also scope for objection to SEA if they are not up to standard or have not been taken into account (CA10). Rather than merely identifying the issues, following the habitats directive, there could be a possibility to make "choosing the best environmental outcome [have] more legislative force" (LA7).

One comment drew attention to diminishing support – suggesting the need for greater practical engagement from the Government, including workshops (LA2 also C3 and PB2) and a return of regional SEA forums with a broader focus than just planning (LA2).

10. The SEA Forum (Q15, 15a and 15b)

Since 2009 the Scottish Government has sponsored an SEA Forum that enables Responsible Authorities to share their experience of SEA. The majority (31) of those that responded to the survey (this question 34 in total) had attended the SEA Forum at least once (the number of attendees in relation to how many years they went along is presented in Figure 4).
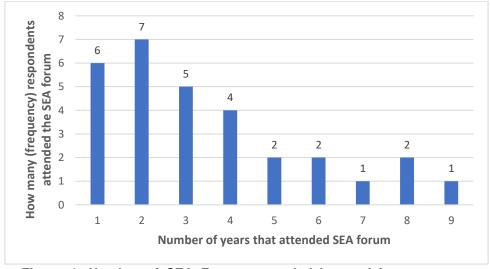

Figure 4: Number of SEA Forums attended by participants – most participants had attended at least one (Q15a) Please note: The first forum took place on 25 September 2009 and there was no forum in 2017.

The majority of the attendees found the SEA Forum very useful and relevant, there were two exceptions (NGO6 and LA10) who said that the SEA Forum was not helpful. Of the benefits mentioned, most attendees felt it was useful for sharing good-practice, information and ideas, and gaining knowledge and understanding. The next most referenced benefit was to do with networking and meeting other practitioners.

Finally, several people discussed the SEA Forum's role in peer support, providing a platform to build consensus and find solutions, offering a space to reflect: "I hope it's also a way of discussing as a profession, as a nation, how we can do this better. As a bonus you get to speak to people who know and feel your pain" (LA15); "A day out of the office to focus on SEA as a topic, rather than as part of particular case that is on my desk, is refreshing and allows time to reflect that otherwise doesn't happen due to pressures of getting the work done" (CA4).

11. SEA literature consulted (Q16, 16a, 16b)

Participants were asked what literature they regularly read that relates to SEA (Figure 5), and were given the possibility of picking more than one response from a range of options. The largest category was Environmental reports (28) followed by Guidance (27) then legislation (18) and Academic literature (8). Respondents who picked "other" (9) referred to a number of different types of literature in a follow up question: case law (UK/ECJ judgements), grey literature (e.g. evaluations of SEA, government research), State of the Environment Reports, In-house reports and presentations, screening and scoping reports, planning magazines and posts, and updates via professional organisations (e.g. RTPI, CIEEMA).
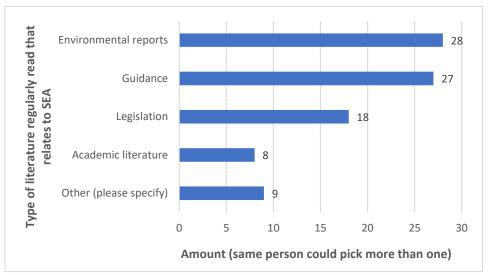

Figure 5: Literature related to SEA that participants read regularly (Q16)

Respondents were asked which guidance has been most useful and were asked to write the top three, even if that guidance was no longer readily available or in draft version (Q16a) – 26 people responded to this question. The Scottish Government guidance documents on Strategic Environmental Assessment (SEA) were the most often cited (19). This was followed (6) by the different guidance produced by the consultation authorities, then internal guidance developed for the respondent's organisation (5). The Environmental Assessment (Scotland) Act 2005 and the Planning Advice Note 1/2010 on Strategic Environmental Assessment of Development Plans were also referred to by four and two participants respectively. Single mentions were made of the Planning Circular 1/2017 on Environmental Impact Assessment regulations, the RTPI guidance, SNIFFER air, water and soil guidance, Riki Therivel's SEA in

Practice book, and the New Zealand's Resource Management Act guidance. Two people mentioned that guidance was not useful: "Available guidance isn't particularly great" (LA7), "None of it is particularly useful" (LA10).

The respondents who ticked "academic literature" were asked to describe how such writing was used (Q16b). The academic literature was used to keep up to date with developments, for generating and evolving new approaches to SEA, and for method innovations. While the following reasons were also given: "keeping an eye on environmental trends, how other member states have incorporated SEA within their own systems, drawing together lessons learned from case law (e.g. how alternatives have been dealt with)" (CA21), and "evaluations of SEA (e.g. EU SEA REFIT) (CS2)". Finally, the academic participant said, "I contribute to it".

12. Training in SEA (Q17, 17a, 17b)

Participants were asked if they had undertaken any formal training in SEA e.g. a specific training course of something that was part of a degree programme (Q17). Of the 33 people that answered this question, 18 (55%) said they had and 15 (45%) said that they had not. With the exception of the academic who "actually teaches the subject" (PB3), one third of the participants who had received training said they got their SEA training as part of a University degree, one third said that they received CPD training, and one third said that they received in-house SEA training (Q17a).

When asked "How did that training influence how you engage with SEA?" (17b), half of the 16 responses said that gave them better understanding SEA. Other people mentioned that "made me think more holistically about SEA process and impacts on the environment" (LA11), "was useful in helping me focus on significant environmental effects" (LA17), "better understanding of the need for bridging research and practice" (LA30), and "gave me more confidence" (CA14). Three people referred to how SEA training was associated with positive aspects of SEA: "It encouraged the understanding that this is a positive process" (LA18), "Better understanding of the wider benefits and influences it has" (LA9), "It got me excited about the potential influence / usefulness of SEA" (CS2). While two people shared drawbacks: "I quickly became cynical about it as a practitioner" (CS2) and "still didn't convince me that it was a good thing" (LA10).

13. Other comments about SEA in Scotland (Q18)

Responses to the final question 'Any other comments?' are provided in full in Table 3. This presentation was chosen because the responses relate to a number of different topics and thus resist easy summarisation. The responses are coded – again showing a pattern of some respondents being consistently 'in favour' of or 'against' SEA across the survey.

Table 3: Full text of responses to the question 'Any other comments?'

Code	Response to the question 'Any other comments?'
CA1	I'm often surprised at how positive previous [Scottish Government] reviews of SEA have been. I wonder whether this is because we're asking the wrong people. I hope that you are including the views of decision makers and developers in this review and are using other techniques in addition to this survey. I think you would learn a lot by interviewing heads of planning, elected members, politicians and ministers (without too much warning) and testing their knowledge of SEA.

Code	Response to the question 'Any other comments?'
	SEA is a wonderful idea. However at present it has not - at least in my experience - been used in a way that is adequate to deliver the benefits it was introduced to try and achieve. I believe that a big part of the problem is the amount of time/effort/resource that would be required to use the process properly - i.e. to work up a range of genuine alternative approaches to a problem and to run them all through SEA to determine the optimal approach - or even blend of approaches - to adopt. With the time/effort/resource that is currently allocated to SEA, all that generally happens is that a pre-determined approach is compared favourably to a couple of nonsensical alternatives and then adopted. Albeit sometimes amended with some mitigation - the need for which became apparent through the SEA process.
LA1	SEA is, in most cases, a waste of time
LA2	We are in a fortunate position in [our Local Authority] because we have political and corporate buy in. By building capacity across the Council we have managed to facilitate greater understanding of SEA. By having a dedicated Officer, plan makers feel less isolated and more supported and consequently more willing to fully engage in the SEA process. Despite all the complexities and hard work, I thoroughly enjoy my job and I feel my role has added value to the Council and our communities.
LA5	A lot of planners were willing to accept SEA as a necessary evil but the whole process is now absolutely ridiculous and takes a ludicrous amount of time. I do not think it adds anything to the process. It was almost as if the government decided that planners couldn't do their job properly and needed this extra layer of policing to be introduced. In my opinion SEA is a complete waste of time.
LA8	SEA is a useful tool in plan making; however I feel that the process is quite onerous and lengthy reports discourage members of the public to participate. I also find that some practitioners are now too reliant on referencing other publications; this may enable them to reduce the length of their report but it means that the reader spends a lot of time looking up these references. In this way I feel that SEA has become more similar to EIA and I'm not sure that this was ever the intention. A major aim of SEA was to make environmental information more accessible to members of the public and I feel that by replicating the EIA process and layout of reports this aim is not being fully achieved.
LA12	I feel that there is a battle to keep the SEA process as integrated to the Plan process and not as a separate box ticking exercise. Managers sometimes feel that SEA taking too much of the process, but I consider it as an essential part of the Plan process. The function of planning is seen as making places, and that includes the environment and not just community assets, housing and business.
LA15	Please reduce the burden. If scoped in then SEA can take more time than the actual policy document which is being assessed. How about a simple checklist especially for sustainability / renewables type work which is by its nature positive and will be scrutinised through the planning process & statutory consultees
NGO1	I think it is important that how SEA is operating in Scotland is discussed so am pleased to see this work.
NGO2	It would be helpful if practitioners were encouraged to highlight the benefits of SEA through forums or other on-line resources. SEA can have many positive changes and is a good tool for highlighting the key considerations across a range of environmental issues including climate and sustainability, biodiversity, flooding etc at an early stage.
PB1	Because there would be no staff time/resource allocated to it in a local authority if there was no legal requirement to do it, irrespective of its benefits

SEA in Scotland was intended to be undertaken by all public authorities. The opinions in this survey predominantly come from people involved in public sector planning and the formal consultation processes associated with SEA. Responses to the survey suggest that SEA has been largely undertaken in areas covered by the SEA Directive, most frequently in the area of land use planning. This is supported by further evidence (as documented in McLauchlan and João 2019).

Collectively, this last set of comments express a struggle in trying to get SEA to work within existing constraints. Some recognise that part of the point of SEA may be that it is a "battle" to include the environment, in all its complexities, in decision making. Others characterise SEA as ineffective. Going forward, discussion is needed about how the environment can be better included in public sector and other decision making, whether through SEA or other mechanisms.

References

João E, McLauchlan A. 2014. Would you do SEA if you didn't have to? - Reflections on acceptance or rejection of the SEA process. Impact Assess Project Appraisal. 32(2):87–97.

McLauchlan A, João E. 2005. An independent body to oversee strategic environmental assessment in Scotland: bureaucratic burden or efficient accountable administration? A preliminary report prepared for Scottish Environment Link.

McLauchlan A, João E. 2019. Recognising 'learning' as an uncertain source of SEA effectiveness. Impact Assessment and Project Appraisal. 37(3-4): 299-311

Scottish Executive. 2006. Strategic environmental assessment toolkit. [accessed 2019 June 21]. https://www2.gov.scot/resource/doc/148434/0039453.pdf

Scottish Government. 2019. SEA database holding all Scottish SEA material since July 2004. [accessed 2019 June 21]. https://www2.gov.scot/seag/publicsearch.aspx

Therivel, R, González, A. 2019. Introducing SEA effectiveness. Impact Assessment and Project Appraisal. 37(3-4): 181-187

Legislation

European Commission. 2001 Jul 21. Directive 2001/42/EC of the European Parliament and of the Council of 27 June 2001 on the assessment of the effects of certain plans and programmes on the environment. Official Journal of the European Communities. 197:30–37.

Environmental Assessment of Plans and Programmes (Scotland) Regulations 2004.

Environmental Assessment (Scotland) Act 2005.

Appendix A: Survey Questions

Q1 What type of organisation do you work for?

Options: Consultancy; Consultation authority; Local authority; NGO, Scottish Government, Other public body; Other (please specify)

Q2 Your organisation name (optional)

Q3 What is your role within your current organisation?

Q4 Your name (optional)

Q5 Your email (optional)

Q6 What main SEA topics are most relevant to your job (can pick more than one)?

Options: Agriculture; Forestry; Fisheries; Energy; Industry; Transport; Waste management; Water management; Telecommunications; Tourism; Town & country planning; Land use; Other (please specify)

Q7 What is your most recent SEA experience?

Options: Responsible authority carrying out SEA; Consultant carrying out SEA; Consultation authority reviewing SEA; Studying SEA; Participating in SEA consultations (as an interest group or member of the public); Other (please specify)

Q8 Have you had more than one role in relation to SEA?

Options: Yes; No

Q8a If yes, please briefly describe other roles you have undertaken (not previously listed)

Q9 How long have you worked in SEA? (please specify the number of months or years)

Q10 Thinking back on the SEAs that you have been involved in, how would you describe the context and decision-making situation in which the SEAs were carried out? For example, how open were politicians and planners to new environmental information, how were planning solutions decided, did the SEA have an impact on these?

Q11 What were the key changes made to the plan, programme or strategy as a result of the SEA (reflect on a specific examples or a series of examples that seem indicative)?

Q12a How would you describe the purpose of SEA?

Q12b How would you measure or evaluate that SEA is achieving that purpose?

Q13a There is a lot of discussion about the effectiveness of SEA. What do you understand by "effective SEA"?

Q13b What would help improve the SEA process in Scotland?

Q14 What impact has SEA had on your organisation? For example, new staff, staff roles changing, changes to working practices.

Q15 Have you ever attended the SEA Forum since it started in 2009?

Options: Yes; No

Q15a How many SEA Forums have you attended? Please note: The first forum took place on 25 September 2009 and there was no forum in 2017.

Q15b What do you get out of attending or being involved with the SEA Forum?

Q16 What literature do you regularly read that relates to SEA?

Guidance, Legislation, Academic Literature, Environmental Reports, Other (please specify)

Q16a Which guidance has been most useful to you? Which are your top three (even if no longer available or in draft version)?

Q16b Please describe how you use the academic literature?

Q17 Have you undertaken any formal training in SEA? (this could be a specific training course of something that was part of a degree programme)

Options: Yes; No

Q17a If yes, what training have you had?

Q17b How did that training influence how you engage with SEA?

Q18 Any other comments?

Appendix B: Indicative wording of the call out for survey responses

Title: Voice your opinion about SEA in Scotland

* apologies for cross posting *

We seek information about your understanding and experience of strategic environmental assessment (SEA) in Scotland to enrich debate about this important mechanism. Whether you are involved in SEA preparation, consultation, management or any other role related to SEA we are very interested in your views.

Please follow this link to our survey:
https://strath.eu.qualtrics.com/jfe/form/SV_bKhd16d7mPxKw85

We are keen to get responses from more than one person in any given organisation. An anonymised overview of the results will be available for you and any organisation you represent. We will use anonymised answers to inform published texts.

Please complete the survey by Monday 15th October 2018

This survey is part of a research project by Dr Elsa João (elsa.joao@strath.ac.uk) and Dr Anna McLauchlan (A.McLauchlan@leeds.ac.uk) in association with The University of Strathclyde.

Many thanks.

All the best,

Elsa and Anna

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