Closing the loop – embedding SEA monitoring in the plan making and review process

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Introduction

Monitoring is an integral part of the Strategic Environmental Assessment (SEA) process, and in this context refers to the regular and systematic collection and analysis of data to measure implementation of policies (and their effects) outlined in plans.

This paper outlines the relevant aspects of the European Union SEA Directive[1] as outlined in European Commission, UK and English planning guidance. It discusses the approach to developing a framework for monitoring for the spatial planning sector in England, experience to date and emerging good practice. It suggests that monitoring proposals be developed throughout the assessment process using objectives, targets and indicators, and be confirmed at the time of plan adoption. It concludes with a list of key factors for successful monitoring based on experience in England.

European requirements for SEA monitoring

The EU SEA Directive does not define 'monitoring', but EU SEA guidance suggests it be seen as an activity "...following the development of the parameters of concern in magnitude, time and space" and "...verifying the information in the environmental report" (EC, 2003: pg.43, paragraph 8.4).

Article 10 of the SEA Directive states that Member States (currently 27 European countries):
- shall monitor significant environmental effects of implementation of the plan or programme in order, *inter alia*, to identify at an early stage unforeseen adverse effects and to be able to undertake appropriate remedial action; and
- may use existing monitoring arrangements if appropriate, to avoid duplication.

There are some important points to note with regards to terminology:
- 'significant' – the Directive requires consideration of both positive and adverse effects;
- 'implementation' – the realisation of projects envisaged *and* other activities e.g. behavioural measures, management schemes etc. (EC, 2003: pg.44, paragraph 8.9);
- 'unforeseen adverse effects' – this can be very difficult in practice, and may be better seen as monitoring for the "...shortcomings of prognostic statements in the environmental report (e.g...predicted intensity) or unforeseen effects resulting from changes of circumstances" (EC, 2003: pg.44-45, paragraph 8.12). Contextual monitoring can assist in identification of these types of effects.

The Directive doesn't require modifications to a plan or programme as a result of monitoring, nor does it specify responsibilities, methods, time or frequency for monitoring, but EC guidance (2003) suggests reliance on methods which are:
- already available;
- best suited to the plan or programme and predicted environmental effects; and
- combined to cover several plans or programmes (i.e. it can aid cumulative effects identification).

A European study on monitoring requirements of the Directive concluded:
- the key parameters in monitoring include transparency, flexibility and simplicity;
- the use of indicators is an important element of monitoring (drawing on case studies); and
- scope, depth and style of monitoring depends on the particular plan or programme, but should focus on environmental effects identified as "significant" in the Environmental Report (Barth and Fuder, 2003).

[1] European Directive 2001/42/EC "on the assessment of the effects of certain plans and programmes on the environment", and transposed in the UK by *The Environmental Assessment of Plans and Programmes Regulations 2004* (Statutory Instrument 2004 No. 1633 in England, and similar regulations for Scotland, Wales and Northern Ireland).

SEA Monitoring Guidance in the United Kingdom

The majority of SEA activity in the UK is in the spatial and land use planning sector (the SEA Directive applies to all parts of the UK though, including Scotland, Wales and Northern Ireland).

For spatial plans in England and Wales, SEA is fully integrated within the wider process of Sustainability Appraisal (SA), and in addition to the largely environmental factors outlined in the SEA Directive, considers broader social and economic effects. SA requires:

1. preparation of a SA Report on effects of the proposed draft plan;
2. consultation on the draft plan and the accompanying SA Report;
3. taking findings into account in decision making;
4. providing information on how the SA and consultation has been taken into account in the adopted plan; and
5. monitoring effects of implementing the plan (embedded in a legislative requirement to prepare Annual Monitoring Reports or AMRs).

Specific guidance has been developed to assist the practice of SA and monitoring of spatial plans in England (Office of the Deputy Prime Minister, 2002, 2005a-d; ODPM et al 2005). Monitoring methods and proposals need to be developed throughout the SA process, and finalised as the plan is adopted. Authorities are also encouraged to consider how to react if monitoring reveals adverse effects, which whilst not required by the Directive, may be by other legislation or policies. In UK Guidance (ODPM et al 2005; ODPM 2005c-d) six steps are proposed in developing and implementing a monitoring framework:

1. **What needs to be monitored? –** SA/SEA objectives, targets and indicators; the likely significant effects as identified; and mitigation measures proposed to offset or reduce significant adverse effects.

2. **What sort of information is required? –** the type (e.g. quantitative or qualitative) and level of detail of required monitoring information depends on the characteristics and level of the plan and predicted environmental effects. Three types of indicators should be outlined – those derived from the SA/SEA and which illustrate causal link (significant effects indicators); those which take account of external factors (contextual indicators); and those which measure direct plan outputs, and progress in achieving plan objectives, targets and policies (Output and/or Process Indicators). Other existing indicators that may be useful include process indicators, Best Value indicators, Quality of Life indicators etc.

3. **What are the existing sources of monitoring information?** – existing plan performance monitoring can be helpful when considered together with SA/SEA monitoring, and may be useful either directly or with some degree of analysis or manipulation, aggregation or disaggregation.

4. **Are there any gaps in the existing information, and how can these be filled? –** Additional information may be required to monitor those aspects selected in Step 1, and can be addressed through reliance on and interaction with other monitoring programmes.

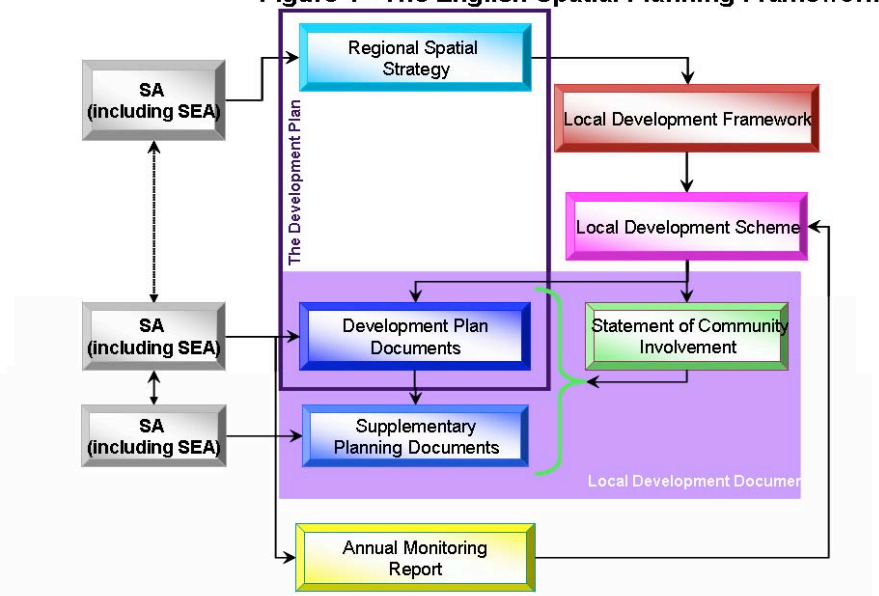
5. **What should be done if adverse effects are found? –** It may be useful to establish a mechanism or framework to identify if and when remedial action is needed in response to adverse effects, including:
   - criteria or thresholds for remedial action (e.g.undesirable or unacceptable conditions);
   - potential remedial actions to be taken if a significant environmental effect is identified (e.g. plan review or amendments, develop mitigation measures);
   - responsibility for taking the remedial action (but may be another authority).

6. **Who is responsible for the various monitoring activities?** – It is important at the outset to clearly identify and agree responsibilities, frequency and appropriate formats for reporting.

Practical application and experience in England

The spatial planning sector in England requires regular monitoring, including as mentioned above, preparation of Annual Monitoring Reports (AMRs – ODPM 2002, 2005c). The requirements for monitoring under the SEA Directive are fully incorporated in the approach and requirement to prepare AMRs in the spatial planning sector, the framework for which is shown in Figure 1. In particular the significant effects indicators identified in Step 2 of the Monitoring Framework should derive from the SA process, but other relevant indicators and monitoring parameters may also be relevant to SEA and its aims of integrating environmental considerations in the plan-making process, providing for environmental protection and promoting sustainable development. The first AMRs were prepared and submitted to central and regional government in 2004 (for Regional Spatial Strategies and Local Development Documents).

Figure 1 - The English Spatial Planning Framework



AMRs must cover:

- reasons why policies are not being implemented;
- whether policies being implemented are achieving what was intended (which may include significant effects identified through SA);
- remedial actions, including review of the plan; and
- delivery in accordance with projected timeframes – for regional plans and/or Local Development Schemes (LDS).

Recent research indicates that SA Reports vary in their use and reference to significant effects indicators, although in reality these are often merged with other types of indicators, and there is scope for clarification in final reporting stages, in implementation plans, and SA statements issued at adoption of Regional Spatial Strategies in England (Hanusch and Glasson, 2008).

Current central government initiatives aimed at standardising information collection, and with a view to improving information for monitoring include:

- creating a standard planning application form to 'front load' the capture of information and achieve a more consistent approach to collating statistics;
- the Planning and Regulatory Services Online (PARSOL) project, to provide support to local authorities in enhancing their monitoring capacity through developing a range of guidelines, benchmarks, schemas, systems and toolkits (see: http://www.parsol.gov.uk/);
- "E-planning" aided by discussions with Regions regarding online information needs;
- A new data interchange hub, to reduce the burden on local authorities of collecting data and ensure all have the information they need to gauge performance against the new agreed new National Indicators (rationalised to 200 from around 1,200 existing indicators) – see: www.communities.gov.uk/hub

England is divided administratively into nine regions. Each has a lead role to play in improving monitoring practice and sharing experience. For example in the West Midlands region this is done through a web-enabled Geographical Information System, in the South East Region via annual monitoring surveys, and in the North East via an established monitoring sub group. Other regions are adapting systems to improve transparency and accessibility, for example the London Development Database aims to record the progress of planning permissions in the Greater London area, ensuring it complements national surveys and monitoring in other Regions (OPDM 2005a).

Experience in the South-West region of England

In the South West region, emphasis in recent years has been on developing existing frameworks for more effective implementation. The region landmass comprises around 18% of the total for England, with the highest

percentage of rural land and populations residing in rural areas (over 50%). Between 1983 and 2003 the region had the fastest growing population in England, largely due to in-migration. This creates particular development pressures given that over one third of the area is classified as being an Area of Outstanding Natural Beauty, National Parks or sites of World Heritage.

There are 51 unitary, county and district authorities within the region, many of which are carrying out separate SA (incorporating SEA) for emerging plans. The monitoring framework is characterised by a joint working and partnership approach which has benefits of combining resources, internalising capacity building, and in some cases cost savings for authorities.

There are several organisations and authorities involved in the data gathering and monitoring aspects of spatial planning in the South-West region – from district and county councils to the South West Regional Assembly (as Regional Planning Body responsible for preparation of the Regional Spatial Strategy with associated SEA/SA responsibilities[2]). Various other bodies are relevant to the monitoring framework, including the South West Observatory[3] – a partnership of regional bodies, responsible for the production, analysis and dissemination of intelligence and research; the South West Local Government Association & E-Government Group; the Regional Strategic Information Providers Group (SIP); and "Sub-SIPs" based on counties.

Some of the existing and emerging monitoring practices in the region include:
- regular meetings of all South West authorities;
- annual regional monitoring manual including comprehensive lists of indicators and targets;
- on-line questionnaire for electronic submission of RSS monitoring data;
- the South West Information/Intelligence Database, an on-line library, for dissemination of monitoring data[4], to aid local authorities undertaking SA/SEA of local plans, with GIS datasets, guidance and a reporting facility (OPDM 2005a)

Identified factors important to effective monitoring, as highlighted in the above regional experience, include:
- reaching agreement on regional issues to be covered in monitoring reports;
- establishing the necessary regional, county and local systems for monitoring;
- developing a common evidence base, and centralised indicators wherever possible;
- exchanging best practice;
- creating a step-by-step approach, recognising data constraints;
- monitoring delivery of spatial policies and effects rather than describing everything; and
- ensuring adequate resources are allocated to monitoring, and raising its profile to that of a corporate level function where possible and appropriate. (ODPM 2005a)

Concluding thoughts

For spatial plans in England, SA monitoring (including requirements for SEA) is embedded in the requirement to produce AMRs, and draws on output, contextual and significant effects indicators. Emerging practice indicates that key factors for successful monitoring include:
- establishment of regional monitoring groups as an information exchange forum, and to improve consistency and efficiency;
- establishing clear protocols on data specification and transmission of local data to regional authorities;
- agreement on any regional topics or issues for AMRs to address;
- in some cases, sub-regional working groups to enhance consistency and involvement of other information providers such as the Environment Agency;
- factoring in monitoring considerations from the start of the plan preparation process, developing policies with targets and indicators where practicable and with clarity about who should do what by when;
- relating monitoring to plan and programme objectives, targets and indicators; and
- thinking ahead about possible remedial actions.

The principles of the emerging monitoring system in England and the UK are thus very similar to EU recommended principles for good practice - ensuring transparency, flexibility, continuity, simplicity, relevance and time series-based monitoring. It is also imperative to establish a mechanism or framework to identify if and

[2] See also: www.southwestra.gov.uk/swra/ourwork/index.shtml
[3] See also: www.swo.org.uk
[4] See also: www.southwestid.org.uk

when remedial action is needed in response, including criteria or thresholds for remedial action, potential remedial actions and responsibility for remedial action.

References

Barth R. and Fuder A. (2003) *IMPEL Project: Implementing Article 10 of the SEA Directive 2001/42/EC Final Report*. IMPEL Network, European Union Network for the Implementation and Enforcement of Environmental Law. http://ec.europa.eu/environment/eia/pdf/impel_final_report.pdf

Commission of the European Communities, 2001. Directive 2001/42/EC on the assessment of the effects of certain plans and programmes on the environment, http://europa.eu.int/comm/environment/eia

European Commission Environment Directorate-General (2003) *Implementation of Directive 2001/42 on the assessment of the effects of certain plans and programmes on the environment*. Brussels: Commission of the European Communities. http://ec.europa.eu/environment/eia/pdf/030923_sea_guidance.pdf

Hanusch, M and Glasson, J (2008) 'Much ado about SEA/SA monitoring: The performance of English Regional Spatial Strategies, and some German comparisons' in *Environmental Impact Assessment Review* doi:10.1016/j.eiar.2007.12.001

Office of the Deputy Prime Minister (ODPM) (2002) *Monitoring Regional Planning Guidance Good Practice Guidance on Targets and Indicators.* London: ODPM.
http://www.communities.gov.uk/planningandbuilding/planning/regionallocal/localdevelopmentframeworks/pps12/

ODPM, Scottish Executive, Welsh Assembly Government and Northern Ireland Department of the Environment (2005) *A Practical Guide to the Strategic Environmental Assessment Directive: Practical guidance on applying European Directive 2001/42/EC*.
http://www.communities.gov.uk/planningandbuilding/planning/sustainabilityenvironmental/strategicenvironmentalassessment/

ODPM (2005a) *Annual Monitoring Report (AMR) - FAQs and Seminar Feedback on Emerging Best Practice 2004/05*. London: ODPM.
http://www.communities.gov.uk/publications/planningandbuilding/annualmonitoringreport

ODPM (2005b) *Local Development Framework Core Output Indicators*. London: ODPM
http://www.communities.gov.uk/publications/planningandbuilding/localdevelopmentframework

ODPM (2005c) *Local Development Framework Monitoring: A Good Practice Guide*. London: ODPM.
http://www.communities.gov.uk/publications/planningandbuilding/localdevelopmentframework

ODPM (2005d) *Sustainability Appraisal of Regional Spatial Strategies and Local Development Documents.* London: ODPM.
http://www.communities.gov.uk/planningandbuilding/planning/sustainabilityenvironmental/sustainabilityappraisalsa/