SEA in Scotland, SA in England → Sustainability?

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Abstract

Movement towards sustainable development (SD) is commonly noted as an overall goal and justification for strategic level impact assessment (IA). Over a decade ago EU Directive 2001/42/EC (SEA Directive) introduced the need for strategic level IA in the UK. However, as the SEA Directive does not stipulate methodological approach and legislating on the environment is the responsibility of the individual nations of the UK, methodological implementation in the UK is varied. The paper considers strategic level IA in England and Scotland and seeks to discuss the implications of varying forms of IA for this shared goal. Case studies were selected from applications of Sustainability Appraisal (SA) in England and Strategic Environmental Assessment (SEA) in Scotland.

Of particular relevance here is the possible marginalisation of the environment against social and economic concerns and the possible need for environmental assessment to act as an environmental advocate. Literature also highlights aspects of practice as influential on IA effectiveness, including who carries out IA, techniques used, use of professional judgement and consultation with stakeholders. The central aim of the research is to consider the extent to which strategic level IA contributes to the consideration of sustainability in plan formulation. In addition, it aims to investigate the purposes, processes and practices, influence of networks in IA to enable a comparative analysis of IA system outcomes. The paper presents the initial impressions from analysis of four case studies.

1. Introduction

Fundamental to impact assessment at the strategic level is the suggestion that it could aid progress towards SD (Bond and Morrison-Saunders, 2011; Cashmore et al., 2007; Fischer, 2007; Glasson et al., 2005; Pope et al., 2004; Therivel, 2004). Indeed promotion of SD is suggested as a central objective of the SEA Directive[1], in which Article 1 states that the SEA Directive aims to;

> *'provide for a high level of protection of the environment and to contribute to the integration of environmental considerations into the preparation and adoption of plans and programmes with a view to promoting sustainable development…'* (The European Parliament and the Council of the European Union, 2001, p. 32)

This paper presents preliminary findings from research investigating the application of impact assessment at the strategic level in England and Scotland through four spatial planning case studies - two Strategic Environmental Assessments (SEA) in Scotland (one local and one regional development plan), and two Sustainability Appraisals (SA) in England (both Local Development Framework Core Strategies). Case study data was collected through document analysis of SEA and SA reports as well as semi-structured interviews with those involved in assessment. The central aim of the research is to

[1] 'SEA Directive' refers to 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

establish the extent to which strategic level impact assessment contributes to the consideration of SD in plan formulation. The research investigates and compares the purposes, processes and practices of SEA and SA, including their networks of actors, to enable comparative analysis of system outcomes. The paper presents the initial impressions and key findings emerging from analysis of the case studies.

2. Environmental assessment at a strategic level

As practice of impact assessment at a strategic level has developed, various concepts of assessment have emerged. Moreover, as Brown and Therivel (2000) noted, it is important to seek consensus on the substantive purpose of assessment, particularly given that different socio-political contexts may require a choice from a suite of assessment types. Therefore, an understanding of the purpose or utility of assessment is vital.

Assessment labelled as SEA can take many forms and its purpose has been framed in many ways. Brown and Therivel (2000, p. 184) provided a definition which, they proposed, is generally accepted in practice, stating;

> *"SEA is the application of environmental assessment to [policies, plans and programmes]."*

The simplicity of this definition highlights that the level of consensus surrounding what constitutes SEA may be limited; however, it provides a useful springboard for discussion. Sadler and Verheem (1996, p. 27) provided a more detailed definition; they defined SEA as;

> *"a systematic process for evaluating the environmental consequences of proposed policy, plan or programme initiatives in order to ensure they are fully included and appropriately addressed at the earliest stage of decision making on par with economic and social considerations."*

These definitions suggest some common characteristics. Both frame SEA as a process concerned with policies, plans and programmes, and highlight that SEA should focus on the environment.

SA, like SEA, has been defined in various ways (Pope et al., 2004). Devuyst (2001) defined SA as a tool designed to aid decision- and policy- makers when making decisions on actions for making society more sustainable. This is echoed by Hacking and Guthrie (2008) who described alternative forms of sustainability focused assessments simply as processes to direct decisions towards sustainability.

3. Assessment in the UK

Since the introduction of the SEA Directive in 2001 varying methodological responses have developed across EU member states. In the UK the responsibility for implementation of the SEA Directive is a matter devolved to each of the four administrations – England, Northern Ireland, Scotland, and Wales. Following initial transposition of the SEA Directive in the UK, practice and legislation has diverged, particularly between England and Scotland. However, SD can be seen as a common goal held in both systems of assessment.

In Scotland the *Environmental Assessment (Scotland) Act 2005* legislates for the incorporation of the requirements of the SEA Directive. The Act acknowledges the conclusion of the Royal Commission on Environment and Pollution Twenty Third Report on Environmental Planning that the inclusion of social and economic considerations can marginalise the environment, and as a result makes no

statutory provision for the inclusion of social and economic factors (Jackson and Illsley, 2007; Royal Commission on Environmental Pollution, 2002; Environmental Assessment (Scotland) Act, 2005). The primary guidance, the SEA Tool Kit, states the purpose of SEA as;

> *'SEA is therefore a key component of sustainable development, focused on protecting the environment'* (Scottish Executive, 2006, p. 5).

In England the *Planning and Compulsory Purchase Act 2004* influences how the requirements of the SEA Directive are implemented in development planning. This Act introduced the requirements for planning authorities to produce Local Development Frameworks (Cullingworth and Nadin, 2006; UK Government, 2004) and stipulated that they be compiled with consideration of how they will contribute to SD (Department for Environment, 2005). UK Government guidance, the *CLG Plan Making Manual* states;

> *'The purpose of the sustainability appraisal process is to appraise the social, environmental and economic effects of a plan from the outset. In doing so it will help ensure that decisions are made that contribute to achieving sustainable development'* (Communities and Local Government, 2009).

Given the position of the term SD as a central goal of both SEA and SA in literature, and also, as highlighted above, in the systems of assessment practiced in England and Scotland, it is clearly important to give further consideration to definitions of SD.

4. Definitions of sustainable development

Literature discusses many interpretations of SD. Most familiar perhaps is the definition provided by the World Commission on Environment and Development in 1987 which comprised two parts, *environment* and *development* (Pope et al., 2004; Sachs, 1999). In discussing this two part definition, some have described the inclusion of 'development' as taking sustainability away from its environmental and ecological origins and establishing the influence of society (Reboratti, 1999), or even placing development in a position of dominance (Davidson, 2011).

Others have argued that this two part definition should be expanded beyond the simple environment and development understanding and have suggested versions of SD based on three, five or more pillars (Gibson et al., 2005; Lee and Kirkpatrick, 2000; Pope et al., 2004). Gibson et al. (2005) noted that a model of sustainability made up of two pillars is commonly utilised by those wishing to place the environment on an equal footing with human concerns, while a three pillar arrangement, including ecological, social and economic concerns, emphasises that economic success is not a full measure of human wellbeing. Similarly, Chambers et al. (2000) described the three elements of sustainability as 'Russian Dolls', presenting the environment as fundamental; with society and the economy embedded within the environment. Parkin (2000) conceived of SD as made up of five capitals; natural, human, social, manufactured and financial. Expanding discussion of sustainability beyond a list of characteristics it has also been highlighted that the concept requires specification to context (See Gibson et al. 2005 for further information).

4.1 Implications for SEA and SA practice

Considering the range of definitions of SD, and taking progress towards SD as a central aim of impact assessment at the strategic level (Bond and Morrison-Saunders, 2011; & others) it is useful to consider the possible implications for practice. Particularly crucial in this research is the

understanding that the definition of SD may have implications for the outcomes of assessment systems which hold SD as a goal (Bond and Morrison-Saunders, 2011; Gibson, 2006; Hacking and Guthrie, 2008; Owens and Cowell, 2002).

It has been suggested that in order to achieve SD social, economic and environmental impacts must be considered together (Devuyst et al., 2001; Gibson et al., 2005). Moreover, it has been argued that a central premise of SA is the balancing of the three pillars of sustainability, termed horizontal (Lee, 2002) or substantive integration (Eggenberger and Partidário, 2000). Conversely, SEA has been described as able to bring progress towards SD by acting as an advocate for the environment (Morrison-Saunders and Fischer, 2006).

Arguably the most fundamental critique concerns the marginalisation of environmental considerations through the inclusion of social and economic factors and the possible curtailment of the environmental benefits achievable from a more environment focused form of assessment (Morrison-Saunders and Fischer, 2006; Scrase and Sheate, 2002). Counsell and Haughton (2006) noted that although professionals engaged in planning show support for SA as it ensures social and economic factors are represented, other key agencies have expressed concerns with respect to possible marginalisation of environmental issues, complicating the notion of integration (RCEP, 2002).

In addition to how the purpose of assessment and discussion of how assessment might contribute to SD, literature also highlighted additional elements of practice which may be influential on the outcomes of assessment. These include the techniques utilised, who carries out the assessment and consultation with a range of stakeholders. More specifically, the unequal distribution of power between such actors is noted as influential over the results of assessment (Elling, 2009; Kørnøv and Thissen, 2000). Owens and Cowell (2002) also highlighted this, noting specifically that what a particular assessment deems to be sustainable may be the product of that specific application, influenced by the arrangement of actors, opportunities and constraints in a given situation.

5. Initial impressions

Initial analysis of the case studies provides some preliminary impressions of the influences of SEA and SA on plan-making. Firstly, in relation to the reported purposes of assessment, Environmental Reports and respondents commonly cite regulatory requirements to conduct SEA and SA and the need for compliance as the reason for conducting impact assessment. However, many additional purposes are also expressed, highlighting the complex understanding of the purpose for SEA and SA. Additional purposes include; documenting plan formulation and assessment, identifying impacts, aiding consultation, considering alternatives, and influencing the plan. It is suggested that these additional purposes can be subdivided, with documenting and identifying impacts placing assessment in a less influential role and the remainder ascribing SEA and SA a more active role in plan formulation.

Beyond these largely procedural elements, the more substantive purpose expressed for SEA or SA reflects the respective national system in terms of England's focus on sustainability and Scotland's on the environment. Again there is variation in the strength of language used to describe what is expected of SEA and SA. The acceptance of balancing a range of impacts at some stage in the impact assessment or plan adoption process is also present in both systems.

More detailed examination of the processes of assessment indicates that some practice follows regulation and guidance closely. However, in other instances more tailored approaches to assessment

have been adopted particularly in Scotland where both cases were completed internally by responsible authorities. The working arrangements between partners involved are cited as influential on the success of both SEA and SA, including early contact between responsible authorities and consultees, as well as close contact between those producing the plan and those assessing it. Respondents also highlighted the importance of engagement from organisations and individuals involved in the process in order to yield the greatest benefits.

In terms of the outcomes achieved, post-adoption statements report SEA and SA as having influence on the plans they assess. However, respondents indicate that this is more complicated; some suggest plans would have been developed in the same way without SEA or SA. A common theme of this discussion of SEA and SA outcomes and influence on the plan relates to the influence of higher tiers of planning or existing commitments limiting the flexibility available to lower tiers and so limiting what SEA or SA might be able to influence at this stage.

Further analysis will continue to develop a picture of how the application of SEA and SA in Scotland and England differs and particularly to unpick how differences in purpose and process might be influential over outcomes. Further consideration will be given to the contribution each is making to bringing progress towards, or promotion of, SD in spatial planning. Particularly the extent to which SEA and SA is able to influence planning where conflicts between plan and assessment objectives exist, as overall, data suggest that both expectations for and outcomes of SEA and SA in this respect appear to be limited.

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