

Minerals SA/SEA: Frequently Asked Questions

2nd March 2006

These FAQs and responses have been prepared by C4S and the Minerals Network Team and are based on questions raised in the SA/SEA training workshop and network emails. This note serves to suggest practices that minerals authorities may wish to adopt when producing an SEA for a Minerals LDD. It has been prepared specifically for this purpose, using general SEA guidance published by the European Commission and ODPM. However, this document cannot specify the full range of criteria which may be required to meet the terms of the EC Directive on SEAs, and the related UK legislation.

Following the advice in this document does not provide responsible Authorities with a guarantee that they have complied with the SEA Regulations, which are implemented in England by Statutory Instrument 2004 No. 1633, based on European Union Directive 2001/42/EC. It provides a suggested course of action to assist responsible Authorities in light of the absence of any other specific criteria. Responsible Authorities should check with their own legal advisors that any SEAs they produce satisfy all legal requirements.

Requirements for Minerals SEA/SA

1. Is SEA / SA compulsory for a Minerals Local Development Document (MLDD)?

Yes. Directive 2001/42/EC on the assessment of the effects of certain plans and programmes on the environment (the SEA Directive) was adopted in July 2001 and was enshrined in English law through Statutory Instrument 2004 No. 1633: *The Environmental Assessment of Plans and Programmes Regulations 2004*. This regulation requires an 'environmental assessment' to be carried out on plans and programmes prepared by public authorities that are likely to have a significant effect upon the environment. This process is commonly referred to as 'Strategic Environmental Assessment' (SEA), and covers relevant plans and programmes whose formal preparation began after 21 July 2004. MLDDs are one of the plans which require an environmental assessment.

At the same time the *Planning and Compulsory Purchase Act 2004* requires Sustainability Appraisal (SA) of all emerging Development Plan Documents and Supplementary Planning Documents.

2. Is screening for DPDs important?

The Planning and Compulsory Purchase Act 2004 requires DPDs and SPD to undergo SA as part of the process of ensuring that they will contribute towards sustainable development. To date it is unclear whether it is possible to conduct an SA without conducting an SEA. However, there are several reasons why it is highly advisable to conduct an SA that also complies with the SEA Regulations:

- ODPM guidance is clear that the process should incorporate the requirements of the SEA Regulations.
- If an authority thinks no SEA necessary, it must carry out screening to determine if the plan is likely to have significant environmental effects. The authority must make its conclusions on a determination available to the public including reasons for not requiring SEA.
- If during the plan making process it emerges that the plan is likely to have significant environmental effects, there is the risk of a legal challenge potentially leading to major delays or abandoning of the whole plan making process.

- SAs require the consideration of environmental, social and economic aspects; hence environmental effects will always have to be addressed in one form or the other.
- It is good plan making practice to understand the effects of the plan!

3. What guidance is available?

A list of both specific minerals and generic SEA/SA guidance is available on www.sea-info.net.

4. Can I combine SA and SEA?

Yes: SA and SEA involve a similar series of stages and the UK Government have made it clear that they feel both processes can be combined into a single appraisal process.

The main difference between them is their focus. SEA focuses on identifying significant environmental effects whereas SA is concerned with the full range of environmental, social and economic effects. However, this is not such a big difference as the SEA Regulations take a broad view of the environment, including population, human health, landscape, cultural heritage and material assets as well as biodiversity, climate, air, water and soil.

5. How can I combine SA and SEA in practice?

Combined SA/SEA is being tested all over England currently as many authorities seek to appraise land use plans. Early findings show that some of the important issues to be borne in mind in combined appraisal are:

Objectives (keep them simple and as few as possible): In combining two processes, it can become tempting to try and cover every issue in an objective. This is compounded by the fact that people often try to use the same SEA / SA objectives as used for other spatial plans appraisal and also incorporate more generic corporate objectives. However, minerals plans have very different (and more focused) environmental, social and economic effects to a spatial plan. Authorities may wish to consider these other objectives but should be bold in rejecting those objectives that are not relevant at an early stage.

The best tip is to keep it simple and stick to objectives which the minerals plan can have a significant influence on but make sure you cover all the criteria in the SEA Regulations (or if you decide to scope these issues out, you justify this in the scoping report).

SEA Regulations (have you made it clear how you have met the requirements of the SEA regulations?): The SA guidance states that (paraphrased):

The Environmental Report should be included within the SA Report covering effects other than those on the environment. The SA Report must clearly show that the Directive's requirements in relation to the Environmental Report have been met through sign-posting the place or places in the SA Report where the information required by the Directive is provided. A table signposting the reader to the information which fulfils the SEA Regulation requirements may be useful.

6. Why do we run DPDs and SA/SEAs in parallel?

The ODPM guidance on SAs on RSSs and LDFs states that the integration of SA/SEA into the DPD preparation is fundamental to sound plan making. Therefore, DPDs and SA/SEAs should be conducted in parallel with iterations. This helps to ensure that feedback from the SA/SEA process can be properly considered in the plan making process.

7. How can I effectively combine appraisals for different plans?

Many authorities are combining appraisals for a number of different plans (Local Transport Plans, Spatial, Waste and Minerals Local Development Documents etc). This can be a useful

process and early findings of this integration show that some of the important issues to be borne in mind are:

- Transparency is the key to successful integration. It must be made clear which guidance documents and requirements are being followed for each plan. It is beneficial if all appraisals take into account the same (or similar) documents but for the individual plans different guidance documents will take primacy;
- Integration can never be complete and the same methodology may not serve all the requirements for each plan. A common core methodology is useful with add ons where needed.
- Baseline data, similarly, benefits from an overall consideration of the sustainability baseline and extra detail can be added to each of the plans.
- Joint monitoring strategies can be useful that track the general state of the environment and also the impacts of each plan. These will give authorities a better idea of how their overall planning processes contribute to the state of the environment.

Figure 1 gives some ideas on how the information for multiple appraisals on different timescales can be managed. LTPs are likely to be the first plan through the system so these have been chosen to compare against Minerals LDDs.

Figure 1: Managing SEA / SAs of plans with different timescales

Flow of information between the appraisals, based on timing of plan cycles →

Task	LTP	Minerals LDD
Conduct review of relevant policies and plans	Collect and review other plans and programmes (see WebTag Unit 2.11)	As LTP but ensure review additional plans such as PPGs, PPSs, MPGs and MPSs.
Collate baseline information and identify sustainability issues for each plan	As well as a general sustainability baseline specific data will need to be collected regarding issues such as air and noise pollution, accessibility issues and community severance etc.	As LTP but data will be needed on minerals reserves and their specific environmental constraints. C4S toolkit on SEA of minerals plans provides a chapter on baseline data requirements for a minerals SEA / SA (please see www.sea-info.net).
Produce SEA / SA framework and test plan objectives against SEA / SA objectives	A common SEA / SA framework can be developed from a set of core sustainability objectives if appropriate. In this case more specific transport SEA objectives can also be devised which fit "under" the core sustainability objectives.	As LTP but it should be recognised that many of the objectives will not be relevant to minerals planning and can be scoped out (with justification)
Identify sustainability effects of the options by testing against SEA / SA framework	Test emerging LTP options against SEA / SA framework.	Test emerging minerals LDD options against SEA / SA framework. Alternatives for minerals plans may be more constrained than for other plans and the appraisal needs to take this into account.
Predict and document significant effects and carry out detailed assessment of effects of preferred options.	Predict significant effects of the LTP alternatives. Use emerging information from minerals LDDs and emerging results other SEA / SAs as key sources for considering cumulative effects.	Predict significant effects of the minerals LDD alternatives. Use published LTP SEA and emerging results other SEA / SAs as key sources for considering cumulative effects.
Advise on the refinement of plans and mitigation measures	Identify mitigation and recommended changes to the LTP. Use emerging information from minerals and other SEA / SAs as key sources for considering joint mitigation.	Identify mitigation and recommended changes to the LTP. Use published LTP SEA and emerging results from the other SEA / SAs as key sources for considering joint mitigation.
Develop a monitoring framework for plan implementation	Identify a monitoring framework in relation to the significant effects of the LTP. Use emerging information from minerals and other SEA / SAs to consider joint monitoring.	Identify a monitoring framework in relation to the significant effects of the LTP. Use published LTP SEA and emerging results from other SEA / SAs as key sources for considering joint monitoring.

Draft the final environmental /sustainability report	Prepare Environmental Report. Consider relationship with wider LTP reporting and NATA appraisal (if applicable).	Prepare SA Report.
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Scoping

8. Will I need to collect new data for the SEA / SA and what kind of baseline data should I collect?

During this first round of SEA / SAs the Government recognise that data availability is not 100% and any data gaps will need to be recognised within the assessment. The approach is more likely to be collation of existing information rather than collection of new data. If data are missing it is important that this is considered in the monitoring phase of the SEA / SA. The SEA / SA monitoring regime should aim to collect this data if practicable.

The type of information required is a decision for individual planning authorities and will change according to a number of factors such as:

- The potential significant effects of your plan (If the plan is not expected to have many significant environmental effects, data requirements may be less);
- How well the assessment team know the area (contextual data is useful if a team is involved that do not know the area well);
- Availability of data and resources available to collate data – most data readily available in a useable format will probably be more general data (i.e. number of SSSIs). More minerals specific data will probably need to be extracted from public sources / Geographical Information Systems (i.e. the number of SSSIs that are adjacent to minerals sites). It should be noted that lack of resources to collate information should not be used as an excuse for failing to assess an issue adequately;
- The stage the assessment is at – contextual data may be useful to include in a scoping report but the assessment stage will require more specific evidence to underpin the assessment of significant effects.

The box below shows how different data may be presented:

Presenting Baseline Data within an SEA/ SA

Baseline data can be presented in different ways and some sections of the study area may require more detail than others. Data can be presented in the following ways:

- A section in the Environmental Report on baseline data which will give **background environmental information taken from published data sources**. This includes publications like *State of the Environment* Reports (for an example of a recent State of the Environment Report see Leeds City Council's website http://www.leeds.gov.uk/downloads/20031031_33079165.pdf). This section should also include trend / future baseline data which may be taken from a defined scenario exercise undertaken for the plan. (**Guidance on how to present this baseline data is addressed in question 13**);
- **Mapping of environmental and present and future mineral resources** is likely to be one of the most useful resources a MPA can have when filling in an assessment matrix. This can be taken from published sources and be included in the section on baseline data; and
- Some parts of the plan area will require **a more detailed consideration of baseline data** through such means as environmental characterisation, quality of life capital and environmental constraints mapping. Site allocations and area action plans are examples of where this may be necessary.

- **Source:** Adapted from C4S, 2004 *Techniques for Effective Strategic Environmental Assessment (SEA) for Local Aggregates Planning. Review of Predictive Techniques for the Aggregates Planning Sector.* http://www.mi-st.org.uk/call2/reports/final_report_ma-2-1-004.pdf

9. Why and how do I set SA/SEA objectives?

The SA/SEA framework provides a way in which effects can be described, analysed and compared. It is central to the SA/SEA process and consists of objectives, which can be expressed, where practical, as targets and supplemented by indicators.

We are not setting objectives for their own sake; they should reflect the problems, issues and opportunities in the plan area. It is important to set a manageable number of objectives, which should be sufficiently distinct from each other. Therefore, planners and consultants should think strategically when developing the SA framework. If they are confident that a plan will not have any significant effects on one particular area (e.g. soil), it is possible not to set an objective for this topic. However, this bears the danger of missing out unforeseen but potentially significant effects. It might therefore be more appropriate to prioritise SA/SEA objectives to focus resources on parts of the plan which are mostly likely to impact on certain topics.

10. Can I use the same SEA / SA objectives for different levels of the assessment (i.e. strategic assessment and site assessment)?

It is useful to use the same objectives but indicators to help judge the effects may need to be more focused for the site assessment. It is useful to identify any objectives that may not be applicable to the sites in question so that work can focus on the significant ones.

11. How useful are RSDF objectives?

UK Government guidance envisages that Regional Sustainable Development Frameworks (RSDFs) should provide a shared vision and shared objectives for sustainable development in the regions and inform other regional strategies. However, a report by the Sustainable Development Commission¹ showed that there is little evidence to suggest that RSDFs are either overarching or influential. It found that:

- There is a widespread confusion as to the purpose of RSDFs
- RSDFs are not recognised by stakeholders as a the overall regional framework
- RSDFs lack influence

Nevertheless, RSDF objectives can provide a useful starting point for framing plan objectives since the plan should work towards the achievement of the overarching RSDF aims. In addition, they could also be used to help set SEA objectives **IF** they help in the assessment of the environmental effects of the plan.

12. How can I predict what the future baseline of the plan will be?

Consideration of the “future baseline” or “Future Do – Minimum” is common in transport assessment (for example, see www.webtag.org.uk). However, it is not a common concept in land use or minerals planning and neither the ODPM guidance on SA nor the SEA Directive itself gives guidance on what timescale the future baseline should address. Recently published European guidance on the implementation of the SEA Directive (European Commission, 2003) states that the baseline should be projected forward on the same time horizon as that envisaged for the implementation of the plan or programme.

The same issues apply to predicting the future baseline of a plan as applied to predicting the environmental effects of the plan. There may be a high level of uncertainty and reliance is

¹ Sustainable Development Commission (2005) 'The next steps - An independent review of sustainable development in the English Regions'

placed on expert judgement. However, data and other evidence should be used to guide expert judgements. Easily available data include:

- Population projections and knowledge of the future spatial strategy in order to assess whether more areas of housing are likely to come into conflict with mineral development;
- Other plans and projects and their likely environmental effects although MPAs should decide on what level of future plan or project they include in this assessment. This may be definite plans and projects only or ones which are in the pipeline but are not yet approved;
- Knowledge of forthcoming environmental regulations for example, the EU Directive on Mining Waste;
- Knowledge of past trends in the state of the environment and what might have driven these;
- Knowledge of the success / failure of past environmental / planning policies (from monitoring reports etc); and
- Targets within other strategies (i.e. Biodiversity Action Plans) and the opinions of experts (including statutory bodies) on whether they will be met.

13. What Plans, Policies and Programmes (PPPs) should I review?

This is up to the individual authority but some suggestions are listed below. In practice it is advisable to start with PPPs at the tier just above the MDD and those at the same level because these should normally incorporate the relevant International and National environmental protection objectives. If taking this approach it is important to examine dates to ensure more recent objectives have been incorporated in the PPP review.

International
<ul style="list-style-type: none"> ▪ EU Habitats Directive [Directive 92/43/EC] ▪ Kyoto Protocol on Climate Change ▪ The EC Directive on the Conservation of Wild Birds 79/409/EEC ▪ The Convention on Biological Diversity, Rio de Janeiro 1992 ▪ Directive 2000/60/EC - The Water Framework Directive ▪ Directive 1966/62/EC on Ambient Air Quality and Management ▪ The Johannesburg Declaration of Sustainable Development 2002 ▪ European Spatial Development Perspective 1999 ▪ Waste Framework Directive (91/156/EEC) ▪ Environment 2010: Our Future, Our Choice (EU Sixth Environment Action Programme) ▪ Århus Convention ▪ Waste to Landfill Directive (99/31/EC)
National
<ul style="list-style-type: none"> ▪ PPS1: Delivering Sustainable Development ▪ PPG 2 – Green Belts ▪ PPG 3 – Housing ▪ PPS 7 – Sustainable Development in Rural Areas ▪ PPG 9 – Nature Conservation ▪ Draft PPS9- Biodiversity and Geological Conservation ▪ PPG10 – Planning and Waste Management ▪ Draft PPS10 – Planning for Sustainable Waste Management ▪ PPS 11 – Regional Spatial Strategies ▪ PPS 12 – Local Development Frameworks ▪ PPG 13 – Transport ▪ PPG 14 – Development on Unstable Land ▪ PPG 15 – Planning and the Historic Environment ▪ PPG 16 – Archaeology and Planning ▪ PPG 17 – Planning for Open Space, Sport, and Recreation ▪ PPG 21 – Tourism ▪ PPS 22 - Renewable Energy ▪ PPS 23 – Planning and Pollution Control ▪ PPG 24 – Planning and Noise ▪ PPG 25 – Development and Flood Risk

- MPG1 – General Considerations
- Draft MPS1 Consultation Paper on Minerals Policy Statement Planning and Minerals and associated Good Practice Guidance
- MPG 2 – Applications, Permissions and Conditions
- MPS 2 - Controlling and mitigating the environmental effects of mineral extraction in England
- MPG 5 – Stability in Surface Mineral Workings and Tips
- Revised MPG6 - National and Regional Guidelines for Aggregates Provision in England
- MPG 7 - Reclamation of Mineral Workings
- MPG 10 - Provision of Raw Material for the Cement Industry
- MPG 12 – Treatment of Disused Mine Openings and Availability of Information on Mined Ground
- MPG 14 – Environment Act 1995: Review of Mineral Planning Permissions
- Defra (2005): Securing the Future: The Government’s Sustainable Development Strategy
- Wildlife and Countryside Act 1981 (as amended)
- Countryside and Rights of Way Act 2000 (CRoW)
- UK Biodiversity Action Plan ‘Working with the Grain of Nature’: A Biodiversity Strategy for England
- Climate Change: The UK Programme.
- Air Quality Strategy: Working Together for Clean Air
- The Historic Environment: A Force for Our Future
- Communities Plan (Sustainable Communities: Building for the Future) 2003
- Government Urban White Paper: Our Towns, Our Cities, the Future. Delivering an Urban Renaissance.
- Government Rural White Paper: Our Countryside, the Future – A Deal for Rural England

Regional

- Regional Sustainable Development Framework
- Regional Spatial Strategy
- Integrated Regional Strategy
- Regional Biodiversity Action Plan
- Regional RSS Appraisal Framework
- Regional Planning Guidance
- Regional Economic Strategy
- Cultural Strategy
- Regional Waste Strategy
- Regional Environmental Strategy
- State of the Countryside reports
- Regional Strategy for the Historic Environment
- Regional Sustainable Communities reports

Local

- Currently adopted Minerals Local Plan, Structure Plan and Waste Local Plan
- Currently adopted District Local Plans
- AONB Management Plans
- Local Biodiversity Action Plans
- Relevant Community Strategies

(N.B: this list is not intended to be comprehensive)

In writing up the PPP review it may be more useful to divide the information from plans into subjects (i.e. air quality, climate change, biodiversity) rather than dividing them into international, national, regional and local plans. In this way it is easier to see the totality of what other plans say about a certain issue. An example is given below:

Example PPP Review

Air Quality

The following documents have been reviewed:

Objectives / requirements of the plan or programme

Directive 1966/62/EC on Ambient Air Quality and Management (European Commission, 1996)

<http://www2.europarl.eu.int/oeil/file.jsp?id=82042>

Introduces new air quality standards for previously unregulated pollutants, setting the timetable for the development of daughter directives on a range of pollutants. The list of atmospheric pollutants to be considered includes sulphur dioxide, nitrogen dioxide, particulate matter, lead and ozone – pollutants governed by already existing ambient air quality objectives- and benzene, carbon monoxide, poly-aromatic hydrocarbons, cadmium, arsenic, nickel and mercury. Establishes mandatory standards for air quality and sets limits and guides values for sulphur and nitrogen dioxide, suspended particulates and lead in air.

UK Air Quality Strategy (UK Government, 2000)

<http://www.defra.gov.uk/environment/airquality/index.htm#aqstrategy>

This Strategy describes the plans drawn up by the Government and the devolved administrations to improve and protect ambient air quality in the UK in the medium-term. The plan sets a number of air quality objectives for pollutants including sulphur dioxide, nitrogen dioxide, particulate matter, lead and ozone. Some of the purposes of the air quality strategy is to:

- To provide the best practicable protection to human health by setting health based objectives for eight main air pollutants (objectives are maximum recommended exposure levels);
- To contribute to the protection of the natural environment by setting objectives for two pollutants (nitrogen and sulphur dioxide) for the protection of vegetation and ecosystems.

Local Air Quality Strategy (fictional plan)

The objectives of the strategy are:

- To maintain the general good air quality across the County;
- To reduce air pollution where monitoring highlights areas exceeding or expected to exceed national standards

To address air pollutants from all significant sources including indoor air quality which is as a direct result of outdoor air pollution

The following are identified as scenarios for action: Traffic pollution air quality hotspots; other transport such as rail and air travel. The strategy recognises that many of the actions of the air quality strategy need to be implemented within the LTP. Possible transport measures suggested as part of the strategy are: park and ride with city centre parking restraints, travel plans for main attractor, promote alternatives to the car, pedestrianisation and bus quality partnerships.

Summary:

Relationship of the LTP with the Air Quality Plans and Programmes

To be completed by the assessment team

How Air Quality Objectives should be (scoping stage) / have been (environmental / sustainability report stage) taken into Account

To be completed by the assessment team

14. How do I identify environmental and sustainability problems?

Experience so far has shown that there is no substitute for consulting experts on this part of the SEA / SA. Some useful information can be gleaned from the baseline / ppp review but by far the quickest and most effective way of identifying issues is asking people from different disciplines i.e. the council's ecologist, cultural heritage expert, countryside section and minerals planners themselves. It is also useful to ask statutory consultees.

Alternatives

15. Is it appropriate to test the sustainability of sub regional apportionments through the SEA / SA process? Should you include options that don't assume that you will meet the sub regional apportionment?

The SEA Directive requires the Environmental Report to identify, describe and assess the likely significant environmental effects of implementing the plan or programme and **reasonable alternatives**. There may be some confusion regarding the assessment of alternatives, with one extreme being to try to assess an alternative to every policy within a minerals plan. European Commission guidance on the implementation of the SEA Directive (European Commission, 2003) has attempted to clarify this matter. The pertinent points from this guidance relating to alternatives are presented below:

Selecting and Assessing Alternatives

- Alternatives must be identified, described and evaluated in a comparable way;
- The text of the Directive is not clear as to what level of alternative should be addressed. In practice, different strategies within a plan will usually be assessed;
- An alternative can thus be a different way of fulfilling the objectives of the plan or programme;
- The alternatives chosen should be realistic. Part of the reason for studying alternatives, is to find ways of reducing or avoiding the significant adverse environmental effects of the proposed plan or programme; and
- To be genuine, alternatives must also fall within the legal and geographical competence of the authority concerned.

(Source: European Commission, 2003)

Again, whether to test the sustainability of sub regional apportionments is a matter for local authorities to decide but some issues that should be borne in mind are:

- Including options which assume that sub regional apportionments will not be met could be considered good appraisal practice and will provide interesting results. However, any potential negative effects of this on other authorities must be considered as part of the SEA / SA, to make the SEA / SA complete. The SEA / SA must also be realistic about the levels of secondary and recycled aggregates that are likely to come forward, for example;
- Options should be reasonable and within the competence of your authority. It is up to you to decide whether these options are reasonable and within your competence. If they are not, appraisal work may be wasted.

16. Are alternatives always necessary?

It is important to ensure compliance with the SEA Regulations on this issue. Remember that there are different forms of alternatives:

- **Need or demand:** can the demand for minerals be met without new development?
- **Mode or process alternatives:** can alternative materials be utilised, can less damaging strategies be implemented?

- **Location:** where should sites be located; and
- **Timing and detailed implementation.**

The table below gives some examples of these:

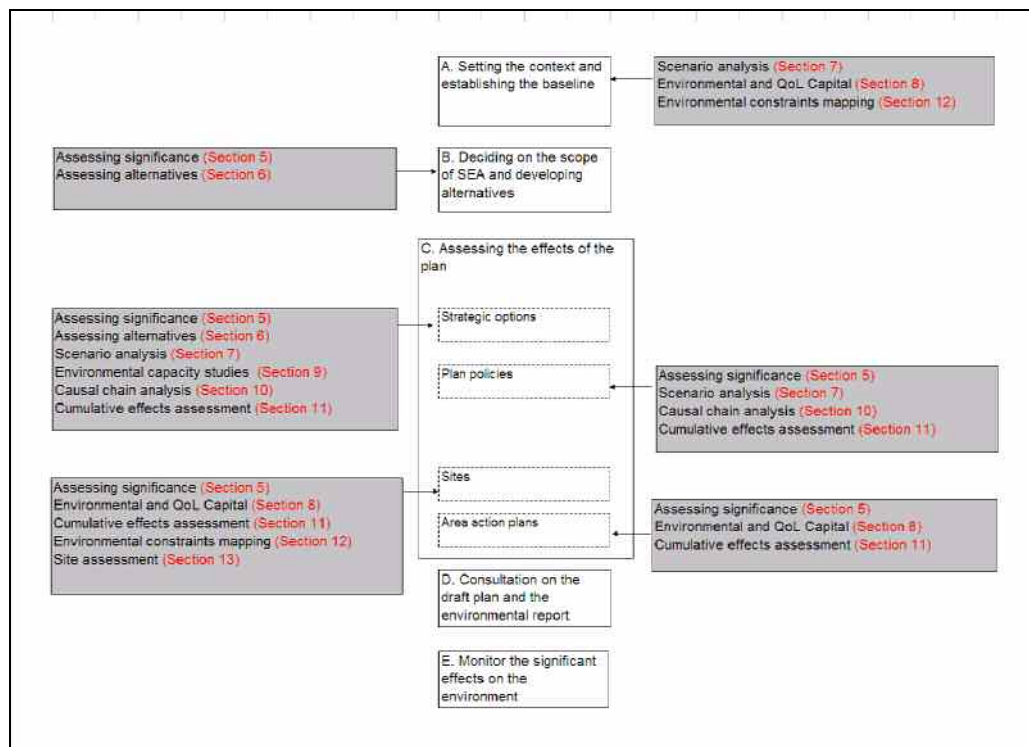
Need / Demand	Mode / Type	Location	Implementation / Timing
Plan for a lower overall apportionment of primary aggregates than has been decided through sub regional apportionment.	Changing balance between sand and gravel and crushed rock.	Focusing aggregate recycling operations in existing quarries.	Consideration of water and rail freight at new sites.
	Change balance between primary aggregates and secondary and recycled resources.	Moving from one strategic reserve to another in a different part of the mineral planning area.	Consideration of alternatives regarding routing of minerals traffic.
		Expand existing sites or focus on new sites?	Scheduling of sites – e.g. only a number in a particular area for a particular time?

Source: C4S, 2004

Assessing the effects

17. What assessment techniques are available for SEA/ SA?

Guidance published by the Minerals Industry Research Organisation (see www.sea-info.net) includes an overview of assessment techniques and these include the tools shown in the figure below:



Source: C4S, 2004 *Techniques for Effective Strategic Environmental Assessment (SEA) for Local Aggregates Planning. Review of Predictive Techniques for the Aggregates Planning Sector*

18. How can I integrate environmental issues into site assessment?

One way to begin looking at environmental issues at the site selection stage is by using sieve mapping of environmental constraints.

19. What level of detail is needed for the site assessment - a EIA type analysis?

The inclusion of sites within a plan can cause confusion between the requirements of a SEA / SA and the requirements of an Environmental Impact Assessment (EIA). An EIA type assessment is not required of such sites within the SEA / SA. However, SEA / SA can enhance the efficiency of project-level EIAs by helping to define their scope. Some issues that should be borne in mind are:

- A site assessment within a SEA / SA is not an EIA – the same level of detail is not required;
- A site assessment within a SEA / SA can use existing data – extensive new surveys should not be needed, although the SEA / SA could highlight the need for them later on;
- The purpose of site assessment within an SEA / SA is to appreciate the site location and its environmental constraints to inform decisions regarding the plan;
- Once an assessment has been made for individual sites this might point to environmental receptors that are likely to suffer cumulative effects. This should be identified within the Environmental Report

C4S, 2004 gives an outline of what should be covered for each environmental issue in a site assessment.

20. I am fairly new to minerals planning. What information is available on the environmental impact of minerals development?

The most comprehensive source of information is www.goodquarry.com - *Minimising the environmental effects of quarries and surface mineral workings*. This website has sections on environmental issues related to quarries including air pollution, ecology, cultural heritage etc and is a valuable source of material on the effects of mineral working on the environment

Guidance published by C4S (C4S, 2004: Techniques for Effective Strategic Environmental Assessment (SEA) for Local Aggregates Planning. Review of Predictive Techniques for the Aggregates Planning Sector) (see www.sea-info.net) includes a section on the environmental effects of mineral development which includes a table of information sources/references.

Mitigation and monitoring

21. What can be included as mitigation?

Within EIA, mitigation is more likely to be an individual action to prevent / offset a specific negative effect of a project. Mitigation within SEA / SA is more complex and can take many forms. Examples include:

- Changes to policies or plan elements or other broad legal and institutional changes;
- Incorporating more sustainable objectives into a plan;
- Changing the weighting of objectives within a plan (e.g. refocusing objectives so safety or environmental objectives are given more weight);
- Changing the focus of a plan (e.g. concentrating resources within a transport plan on public transport rather than the provision of new road infrastructure).

22. Why is 'tiering' important in SA/SEA?

Many decisions which have effects on the environment are made at the plan making level or higher. This was one of the drivers for introducing Strategic Environmental Assessment which can lead to several environmental assessments at the regional, local and project level. The concept of 'tiering' aims to link these environmental assessments to avoid the unnecessary duplication of work by earmarking issues which are better dealt with on a local or project level. Ideally, the information and findings from a higher level assessment (e.g. regional) can then be used for assessments on local level (e.g. core strategy and site allocations) or project level EIA. However, the problem remains that the data/findings may be out of date or not detailed enough to greatly reduce the need for further information collection and assessment. Nevertheless, they can provide a good starting point for planners or consultants to familiarise themselves with existing environmental issues, objectives and other information.

23. Can SEA / SA mitigation be linked to EIA mitigation?

Yes. For example, if a plan includes sites. In order to improve the link between EIA and SEA / SA mitigation the following may be useful to identify in the SEA / SA:

- Essential and desirable mitigation and enhancement measures should be identified within SEA / SA in outline terms for important projects;
- Indicative budgets could be identified for mitigation/enhancement measures;
- Agreements to ensure delivery of mitigation – specify who will deliver it, how it is to be delivered and clarify any assumptions made. The obligation to deliver mitigation / enhancement should be made with the authorities responsible for lower tier projects;
- A strategic approach to mitigation should be pursued where possible. Instead of piecemeal mitigation on a plan by plan basis, mitigation on a larger scale should be put in place to achieve better environmental outcomes and value for money.

24. How should I monitor the SEA / SA?

Post implementation monitoring is not a legal requirement associated with project EIA. The inclusion of monitoring requirements in the SEA Regulations therefore breaks new ground. As a result it may be some time before experiences have enabled effective practice to develop in this area. As European Commission guidance on the implementation of the SEA Directive recognises (*European Commission (2003): Implementation of Directive 2001/42 on the assessment of the effects of certain plans and programmes on the environment*) *Knowledge and practical experience as regards monitoring of plans and programmes is at this stage relatively limited.* The EC guidance also contains an informative appendix on monitoring which suggests approaching the design of a monitoring programme in a phased way. This phased process can be used to design a monitoring regime (see box below).

Suggested monitoring regime

- Determination of the scope of monitoring;
- Identification of the necessary information;
- Identification of existing sources of information;
 - Data at project level;
 - General environmental monitoring;
 - Other data;
- Filling the gaps;
- Procedural integration of monitoring into the planning system;
- Taking remedial action.

European Commission (2003)

The penultimate bullet point in Box 3.4. is particularly important. Ideally, the monitoring arrangements required for ensuring the delivery of sustainability objectives will be built into

routine annual monitoring programmes for ensuring that all other aspects of the plan are on course.

25. What is the link between the SEA requirement for monitoring and the LDF Annual Monitoring Report (AMR)?

The Annual Monitoring Report is part of the local development framework. It assesses the implementation of the local development scheme and the extent to which policies in local development documents are being successfully implemented. SEA Regulations 17(1) require the responsible authority to monitor the significant environmental effects of the implementation of each plan or programme with the purpose of identifying unforeseen adverse effects at an early stage and being able to undertake appropriate remedial action.

SEA and AMR monitoring could be designed to be consistent with each other and use the same indicators where possible. However, it might be that the SEA monitoring requires indicators which are not yet covered by the AMR. These could be included into the AMR monitoring to avoid two separate monitoring systems.

Consultation

26. Who should be consulted and when?

Under the terms of the SEA Regulations it is necessary to consult the statutory environmental bodies:

- English Nature;
- Countryside Agency;
- English Heritage; and
- Environment Agency.

Consultation must occur at four stages:

- **Screening:** When determining if a plan or programme requires an SEA (unless it is a plan that has been designated as needing a SEA by ODPM (as Minerals LDDs have).
- **Scoping:** When deciding on the scope and level of detail of the information which must be included in the Environmental Report.
- **Reporting:** When consulting more widely on the Environmental Report and the accompanying draft plan. The public must also be consulted at this point.
- **Decision to adopt:** Information must be made available on the plan adopted, consultations, decisions made, and monitoring measures. The public is also included at this stage.

The four agencies have set out service standards that authorities can expect from them. These outline key areas of responsibilities, consultation time frames and key interests. For further information please consult the Consultation Bodies Service and Standards for responsible Authorities <http://www.sea-info.net/AllSectors.htm> :

It is also good practice to consult the public at all stages and there is guidance within the ODPM Sustainability Appraisal guidance on how to do this.