



Strategic Environmental Assessment of Local Implementation Plans: Scoping Report Template

by C Treleven

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**STRATEGIC ENVIRONMENTAL ASSESSMENT OF LOCAL
IMPLEMENTATION PLANS: SCOPING REPORT TEMPLATE**

Version: Final

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1 Introduction

The purpose of this report is to assist London Boroughs with the Strategic Environmental Assessment (SEA) of their Local Implementation Plans. This report should be read together with the Advice report prepared by C4S/TRL for London Boroughs in September 2004.

C4S has also written separate advice reports for Boroughs on SEA Objectives for LIPs. These documents are available at:

www.sea-info.net

In the Advice report, the SEA was considered in five Stages:

Stage A: Context and Baseline

Stage B: Scope and Alternatives

Stage C: Assessment and Mitigation

Stage D: Consultation and Report

Stage E: Monitoring

This document is concerned with the production of a scoping report, which is part of Stage B.

Chapter 2 explains the purpose of the scoping report.

Chapter 3 explains what the Scoping Report should include.

Chapter 4 provides a template for a Borough Scoping Report. This draws on training materials used during Summer 2004 for SEAs of Transport plans. It also draws on a TRL project that culminated in a full scoping report in November 2004.

Chapter 5 provides a list of known Scoping Reports, to which Boroughs may gain access.

At the time of writing this document, several scoping reports for the SEAs of transport plans have been completed in the UK. However, few have yet been published. Readers of this report are advised to check the internet for scoping reports, as they become available during November and December 2004. Some London Boroughs are likely to publish their scoping reports during late November 2004.

This document provides guidance for Boroughs. The intention of the guidance is to show Boroughs one way of compiling a Scoping Report that will form part of an effective SEA. This document also makes specific reference to various parts of the SEA Regulations. When in doubt, Boroughs' own legal departments should be consulted for advice on the minimum steps that a Borough needs to take in order to satisfy the SEA Regulations.

2 The Purpose of the Scoping Report

2.1 What the SEA Regulations require

The SEA Regulations set down some minimum actions which the authority responsible for SEA must take. The SEA Regulations are Statutory Instrument ‘SI 2004 No. 1633’, see reference [SEA Regulations].

Regulation 12(1) requires the production of an ‘Environmental Report’, as part of an SEA. In the case of London Boroughs, the Environmental Report is due to be produced in time to accompany the draft LIP when it goes out for public consultation in January 2005.

Regulations 12(2)- 12(4) provide details of what is expected of the Environmental Report. Regulation 12(2) states that:

‘The report shall identify, describe and evaluate the likely significant effects on the environment of-

(a) Implementing the plan or programme; and

(b) Reasonable alternatives taking into account the objectives and the geographical scope of the plan or programme.’

Regulation 12(5) states that:

‘When deciding on the scope and level of detail of the information that must be included in the [Environmental] report, the responsible authority shall consult the consultation bodies’.

The approach to compiling a scoping report described in the sections below is one way of satisfying the requirements of Regulation 12(5). The Regulations do not themselves refer to a ‘Scoping Report’ by name.

2.2 Aims of the Scoping Report

The scoping report serves three main aims:

a) It focusses the effort of the SEA onto the main issues. The report maximises the effectiveness of time spent, by concentrating attention onto the most important parts of the SEA. This concentration also helps to fulfil the Regulation 12(2) requirement that it is the ‘*significant*’ environmental effects that will be considered, in the run up to compilation of the Environmental Report.

b) The scoping report summarises the findings of the SEA, so far. This summary is in an ideal format for communication to third parties. By sending the report to the consultation bodies, Boroughs can demonstrate compliance with SEA Regulation 12(5). The bodies’ comments will then all be made in response to the same written document.

c) The scoping report lays out the main tasks for the remainder of the SEA. This information helps all parties to understand what remains to be done, and influences all parties’ expectations of the SEA project. Since both the LIP and SEA processes are new to almost everyone involved, this is of particular advantage.

2.3 Circulation list for the Scoping Report

The UK has designated four consultation bodies for the purposes of SEA Regulation 12(5). These are the Environment Agency, English Nature, English Heritage and the Countryside Agency.

In addition to the consultation bodies, Borough staff should compile a list of other organisations to whom the report will be sent. These should be organisations known to be concerned with the environment and/or transport in the Borough or the region, and should include NGOs. The specialised knowledge of some groups might lead to valuable inputs, since the groups may routinely monitor environmental conditions in the Boroughs. For example, organisations such as the London Wildlife Trusts might hold information that can improve the accuracy of the baseline trends presented in the scoping report. Such groups might alternatively offer fresh analysis of the trends.

Circulation of the report to concerned groups is a first step to building consensus, and a valuable precursor to the public consultation stage for the Environmental Report.

2.4 Responses to the Scoping Report

Once a Borough has sent out the report to consultation bodies and other groups, the Borough can continue the process of developing the SEA and LIP.

Examination of the scoping report by the consultation bodies occurs in parallel to further refinement of the SEA and LIP. SEA Regulation 12(6) states that:

‘Where a consultation body wishes to respond to a consultation’ on scope and level of detail of the Environmental Report, ‘it shall do so within the period of 5 weeks...’.

During October 2004, Transport for London began contacting the four consultation bodies. This was to find out the extent to which the consultation bodies were likely to respond to Boroughs on each consultation stage in the SEA process. At the time of writing this document, only two consultation bodies had provided names of their staff to whom reports should be sent. C4S will put consultation bodies’ contact details on the SEA website, as soon as these become available. This is at: www.sea-info.net

Boroughs can expect the consultation bodies to follow the published ‘Consultation Bodies’ service standards for SEA’. There is a copy of this document on the SEA website.

3 What the Scoping Report should include

3.1 Introduction

This chapter and chapter 4 lay out the contents of a scoping report that can meet the aims listed under point 2.2 above. Chapter 4 shows a template for a scoping report.

The process of focussing the SEA continues from its inception, up to and beyond compilation of the Environmental Report. So the scoping report is a snapshot view of an SEA that is a 'work in progress'.

There is a relatively short time for Boroughs to complete Stages A-D of the SEA process on their LIPs. Boroughs may therefore have to make tough decisions about how much information they can expect to gather, before publishing their scoping report.

An unavoidable deadline can be calculated derived by 'counting backwards' from the deadline for publishing the Environmental Report. SEA Regulation 12(5) sets a requirement that the consultation bodies should have a period of five weeks to comment on the scoping report, before the Borough can issue the Environmental Report. So the latest date for publication for the scoping report precedes by at least five weeks the date on which the Borough plans to publish the scoping report. The Borough must also allow time to react to any comments received from the consultation bodies, before publishing the Environmental Report.

3.2 Information available for the Scoping Report from Stages A and B

Stage A of the SEA can be completed before, or during, the first stages of preparation of the LIP. In contrast to this, Stage B of the SEA has to be conducted together with the plan preparation. Stage B cannot be conducted independently, as an entirely separate task.

a) At the end of Stage A, the following should be available:

- A review of environmental protection objectives, and other relevant programs, plans and strategies
- Information on the Environmental Baseline
- Lists of Environmental Constraints, problems and opportunities
- SEA objectives

b) At the end of Stage B, the following should be available:

- A list of alternatives for achieving the LIP objectives
- A list of the significant environmental impacts

These outputs of stages A and B provide much of the input to the scoping report.

3.3 Documenting, reasons and questions

Paragraph 8 of Schedule 2 of the SEA Regulations relates to the Environmental Report. It states that the Environmental Report should provide '*An outline of the reasons for selecting the alternatives dealt with, and a description of how the assessment was undertaken including any difficulties (such as technical deficiencies or lack of know-how) encountered in compiling the required information.*'

Similarly, the scoping report should contain an explanation of the reasons behind key decisions. It would also benefit from being as candid as this regulation requires of the Environmental Report.

The scoping report can contain a list of questions for consultees. A list of questions will serve to direct consultees efforts to the areas of the SEA on which the Borough wants specific input. Specific questions might, for example, elicit information in subject areas where the Borough feels that their baseline data was less reliable.

3.4 Orientation towards readers

The key issue when laying out the report is to focus on the readers. The readers include the consultation bodies, and other groups identified in section 2.3 above. Some of these readers may not have the same level of technical understanding as the Borough staff who write the report. They may also have less local knowledge.

The scoping report is likely to contain:

- (i) Maps, for example to indicate the geographical extent.
- (ii) Graphs, for example to show trends in baseline data. Graphs should have a title, and have their axes labelled with units. Where baseline data is presented, the report should distinguish clearly between baseline data that has actually been collected, and extrapolations, e.g. projections of future trends. The report should state the year in which any data was collected, and in which any extrapolations were calculated.
- (iii) Tables, for example to lay out SEA objectives or other relevant plans and programs. Both tables and graphs should be given a title and mentioned in the text.
- (iv) Text, for the remainder of the document. The terminology chosen should be clear and simple, in order to maximise the potential readership.

3.5 Copyright

The information in the report will probably have originated from a variety of sources. Boroughs should consider who owns the copyright on the information. Websites from which data has been obtained will often provide information about the circumstances under which material may be used from the site. See for example:

<http://www.magic.gov.uk/help/copyright.html>

Boroughs' own legal departments should be able to provide further advice on copyright law. See also:

- (i) The pages on copyright on the UK Patent Office's website:

<http://www.patent.gov.uk/copy/index.htm>

- (ii) The Chartered Institute of Patent Agents is a professional body for practitioners in UK copyright law: <http://www.cipa.org.uk/pages/home>

- (iii) The Association for Geographic Information: <http://www.agi.org.uk/>

4 Template for a Borough Scoping Report

4.1 Introduction

Chapters 2 and 3 make clear that scoping reports will vary greatly. Key issues are:

- (i) The complexity of the environmental issues in the area and time period to which the report relates;
- (ii) How much information is available; and
- (iii) How much analysis has been completed.

Despite these variables, it is possible to lay out a very general structure for a scoping report. The remainder of Chapter 4 does this.

4.2 Contents of the Scoping Report

4.2.1 *Results of the SEA so far*

The report should include the results of the SEA so far. These are discussed at greater length in section 3.2 above.

4.2.2 *Scope of the SEA: area and time*

A formal explanation of the scope of the SEA. The concept of 'scope' is not defined in the SEA Regulations. However, the report should state formally:

- (i) The geographical area, for which the SEA is being conducted. In the case of SEA of LIPS, this is the geographical extent of the Borough. However, the plans of some neighbouring Boroughs will affect each plan. So information from neighbouring Boroughs will have to be considered, if it is available in time.
- (ii) The time period, within which activities are considered, e.g. 2006-2011. The majority of the Implementation Targets for the Mayor's Transport Strategy were set in July 2004, see reference [TfL2004]. They have target dates for achievement in either 2010 or 2011. This timescale is therefore a guide to the minimum time period that the SEA of LIPs should cover.

4.2.3 *Scope of the SEA: Range of environmental variables*

By this stage of the SEA, a Borough will have considered which environmental variables are relevant. These variables may be derived from the sample list of SEA topics given in paragraph 6 of Schedule 2 of the SEA Regulations. The topics are: biodiversity; population; human health; fauna; flora; soil; water; air; climatic factors; material assets; cultural heritage, including architectural and archaeological heritage; landscape; and the inter-relationship between these issues.

The sample list of topics in the SEA Regulations is very general. It includes SEA topics for all types of plans that are subject to SEA. These of course might be plans for rural, urban or mixed areas, and must also cover plans that relate to subjects other than transport. For the SEA of LIPs, it is very likely that some of the topics from the list above will be of much

greater significance than others. This is both because the setting of LIPs is predominantly urban, and because the LIPS are restricted to the field of transport.

As a consequence, such issues as noise, air quality, exercise levels and ‘killed and seriously injured’ people (KSIs) might be key variables. Notably, none of these is specifically named in the Regulations.

4.2.4 Scope of the SEA: Extent of coverage of each variable

The report should make an attempt to explain the extent to which a variable will be considered in the SEA. For example, how many indicators or measurements of biodiversity will be monitored? For air quality, will there be analyses of several parameters, such as separate monitoring of Ozone, NO₂, particulates PM₁₀ and sub-micron PM?

4.2.5 Remaining activities in the SEA

The scoping report will be written when Stage B of the SEA is coming to an end. At this point in time, the Borough will probably have a clear idea which tasks remain to be done to complete the SEA. However, some of the later tasks may be so far in the future that little detailed thought has been devoted to them. Monitoring may, for example, seem very far in the future. Despite this, the report should clearly lay out the tasks that remain, in sufficient detail for the consultation bodies to understand what will happen.

A description of the major remaining tasks will help to build consensus amongst stakeholders about how the SEA will develop. This information will in any case be needed formally in the Environmental Report. If those compiling the report have omitted any SEA steps, or described any imprecisely, it is better that this be identified at the scoping report stage than later. Any defects that are not detected at the report stage might well first be uncovered once the full Environmental Report has been sent out for public consultation.

4.2.6 Other issues

Ideally, the scoping report should mention risk and uncertainty. Similarly, the report could also start a discussion of mitigation measures for schemes, and any compensation that is likely to be needed. Although these elements are desirable, the scoping report may in reality come too early in the SEA process for much to be written. However, these elements would add to the report.

4.3 Contents list for the scoping report

Table 1 below provides a sample contents list for an SEA of a LIP. This list is only indicative. It can be used as a checklist.

Table 1: Contents list for the SEA of an LIP

Source: Derived from TRL training materials and Cornwall LTP scoping report

Chapter Title	Contents
1. Introduction	Introduction to SEA of LIPs Purpose of the scoping report Structure of the report
2. Scope and Programme of the SEA	Introduction Screening decision Spatial and temporal scope Technical scope Key milestones and SEA/LIP programmes
3. Baseline and Context	Introduction Other plans and programmes SEA objectives and indicators Existing and future baseline conditions Summary of environmental problems and opportunities
4. Analysis of Alternatives	Introduction The proposed process of strategy development The proposed process of scheme identification Interrelationship of the alternatives
5. Methodologies for Assessing Environmental Topics	Introduction Assessment methodologies by topic
6. What happens next?	Questions for consultees Proposed structure of the Environmental Report Further consultation and SEA Statement List of contact details

5 Known Scoping Reports

5.1 Introduction

The sections below mention scoping reports that are available on the internet. These are scoping reports for transport plans. However, they are not for LIPs, but for the second round of Local Transport Plans (LTPs). LTPs run outside London, from 2006-2011. Many other scoping reports are likely to become available during November and December 2004.

The reports below show in practical terms what can be achieved. However, Local transport Plans differ in several ways from LIPs. One key difference is that the LIP objectives are constrained by the Mayor's Transport Plan and other strategies. Another key difference is that many LTPs relate to geographical areas that are much larger than London Boroughs. The populations covered by LTPs vary widely.

5.2 The 'pilot' SEA scoping reports

During Summer 2004, three SEA scoping reports of LTPs were published. These were written as part of a pilot phase. The reports for Derby and Somerset are discussed below.

5.2.1 Derby

In August 2004, a 'pilot' scoping report was published for the SEA of Derby's LTP. The report is in two parts, totalling 73 pages. See::

<http://www.derby.gov.uk/HiRes/Travel/PlansReports/SEAscopingreport.htm>

The Derby scoping report:

- (i) Covered a population that is comparable to that of a London Borough, 270,000. This population was however spilt between urban and rural areas.
- (iii) Stated that only traffic-related air quality and noise could be modelled, and asked consultees for information about future pressures on other aspects of the environment.

5.2.2 Somerset

In July 2004, Somerset published a draft scoping report for the SEA of the county's LTP. The report runs to 95 pages, including annexes:

<http://www.somerset.gov.uk/somerset/media/52908/LTP%20scoping%20report1.pdf>

The Somerset report lays out the SEA objectives clearly, and discusses indicators and targets for these. It also deals thoroughly with alternative options.

5.3 SEA of Cornwall's LTP

During the first week of November 2004, the scoping report was completed for the SEA of Cornwall's LTP. This runs to 76 pages, and has been completed with the latest knowledge of SEA. The scoping report included a list of questions for consultees, which is reproduced below, with permission of Cornwall County Council.

Table 5.1: Questions to consultees of the Cornwall LTP scoping report, November 2004

1. Please provide any comments on the issue of appropriate assessment under the Habitats Directive in relation to the St Austell clay pits Natura 2000 site.
2. Are there any additional environmental problems, opportunities or issues in Cornwall that need to be considered in the development of the LTP?
3. Are any significant environmental data missing or misrepresented?
4. Are the judgments made concerning future baseline correct?
5. Are the targets suggested appropriate?
6. Is the scope of the assessment correct in terms of technical approach and timescales considered, and if not what changes could be made?
7. What, if any, other alternatives should be included?
8. From the limited information provided, which alternative would your organisation see as the preferred alternative?
9. Are there additional methodologies that could be used within the SEA?
10. Would your organisation like more active involvement than has been suggested within the report?

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