Review of Effectiveness of SEA in Ireland

KEY FINDINGS & RECOMMENDATIONS

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Comhshaol, Pobal agus Rialtas Áitiúil
Environment, Community and Local Government

Department of
**Agriculture,
Food and the Marine**
An Roinn
**Talmhaíochta,
Bia agus Mara**

An Roinn
Ealaíon, Oidhreacht agus na Gaeltachta
Department of
Arts, Heritage and the Gaeltacht

Roinn Cumarsáide, Fuinnimh agus Acmhainní Nádúrtha
Department of Communications, Energy and Natural Resources

epa
Environmental Protection Agency
An Ghníomhaireacht um Chaomhnú Comhshaoil

Environmental Protection Agency

The Environmental Protection Agency (EPA) is a statutory body responsible for protecting the environment in Ireland. We regulate and police activities that might otherwise cause pollution. We ensure there is solid information on environmental trends so that necessary actions are taken. Our priorities are protecting the Irish environment and ensuring that development is sustainable.

The EPA is an independent public body established in July 1993 under the Environmental Protection Agency Act, 1992. Its sponsor in Government is the Department of the Environment, Community and Local Government.

OUR RESPONSIBILITIES

LICENSING

We license the following to ensure that their emissions do not endanger human health or harm the environment:

- waste facilities (e.g., landfills, incinerators, waste transfer stations);
- large scale industrial activities (e.g., pharmaceutical manufacturing, cement manufacturing, power plants);
- intensive agriculture;
- the contained use and controlled release of Genetically Modified Organisms (GMOs);
- large petrol storage facilities;
- waste water discharges.

NATIONAL ENVIRONMENTAL ENFORCEMENT

- Conducting over 2,000 audits and inspections of EPA licensed facilities every year.
- Overseeing local authorities' environmental protection responsibilities in the areas of – air, noise, waste, waste-water and water quality.
- Working with local authorities and the Gardaí to stamp out illegal waste activity by co-ordinating a national enforcement network, targeting offenders, conducting investigations and overseeing remediation.
- Prosecuting those who flout environmental law and damage the environment as a result of their actions.

MONITORING, ANALYSING AND REPORTING ON THE ENVIRONMENT

- Monitoring air quality and the quality of rivers, lakes, tidal waters and ground waters; measuring water levels and river flows.
- Independent reporting to inform decision making by national and local government.

REGULATING IRELAND'S GREENHOUSE GAS EMISSIONS

- Quantifying Ireland's emissions of greenhouse gases in the context of our Kyoto commitments.
- Implementing the Emissions Trading Directive, involving over 100 companies who are major generators of carbon dioxide in Ireland.

ENVIRONMENTAL RESEARCH AND DEVELOPMENT

- Co-ordinating research on environmental issues (including air and water quality, climate change, biodiversity, environmental technologies).

STRATEGIC ENVIRONMENTAL ASSESSMENT

- Assessing the impact of plans and programmes on the Irish environment (such as waste management and development plans).

ENVIRONMENTAL PLANNING, EDUCATION AND GUIDANCE

- Providing guidance to the public and to industry on various environmental topics (including licence applications, waste prevention and environmental regulations).
- Generating greater environmental awareness (through environmental television programmes and primary and secondary schools' resource packs).

PROACTIVE WASTE MANAGEMENT

- Promoting waste prevention and minimisation projects through the co-ordination of the National Waste Prevention Programme, including input into the implementation of Producer Responsibility Initiatives.
- Enforcing Regulations such as Waste Electrical and Electronic Equipment (WEEE) and Restriction of Hazardous Substances (RoHS) and substances that deplete the ozone layer.
- Developing a National Hazardous Waste Management Plan to prevent and manage hazardous waste.

MANAGEMENT AND STRUCTURE OF THE EPA

The organisation is managed by a full time Board, consisting of a Director General and four Directors.

The work of the EPA is carried out across four offices:

- Office of Climate, Licensing and Resource Use
- Office of Environmental Enforcement
- Office of Environmental Assessment
- Office of Communications and Corporate Services

The EPA is assisted by an Advisory Committee of twelve members who meet several times a year to discuss issues of concern and offer advice to the Board.

Review of Effectiveness of SEA in Ireland

Key Findings & Recommendations

ENVIRONMENTAL PROTECTION AGENCY

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Environment, Community and Local Government

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epa
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* Available on the EPA's website – http://www.epa.ie/whatwedo/advice/sea/

Executive Summary

Executive Summary

1 Introduction

The Strategic Environmental Assessment (SEA) Directive came into force in 2001 and was transposed into Irish law in 2004. It aims to provide for a high level of protection of the environment, and contribute to the integration of environmental considerations into plan preparation and adoption, with a view to promoting sustainable development. Ten years after the coming into force of the Directive, the Environmental Protection Agency (EPA) has commissioned RPS to review how effective SEA in Ireland has been to date.

SEA effectiveness can be direct: it can lead to changes in a plan that reduce the plan's negative effects and increase its benefits. It can also be indirect, for instance by increasing planners' understanding of the environment and improving public participation in plan-making. The review investigated both direct and indirect effectiveness by asking:

- Is the SEA process identifying significant effects of implementing plans?

- Is the SEA process informing and supporting effective integration?

- What opportunities exist to improve the SEA process?

- How effective is SEA governance?

The research was informed by the following.

- A **stakeholder workshop** of nearly 40 practitioners and an **online survey** that was completed by 95 SEA practitioners gave detailed information about stakeholder and practitioners' views of what constitutes effective SEA and whether they considered that SEA in Ireland is effective.

- A detailed review of 26 Irish SEA **case studies** (including seven Regional Planning Guidelines, six of which were reviewed by the RPA) provided information about the quality of SEA documentation, strengths and weaknesses of the various stages of SEA and the underlying SEA process.

- **Interviews** with 20 SEA practitioners involved with the selected case studies and with experts in SEA in Ireland shed further light on how the Environmental Reports were used to inform plan-making, and SEA activities after plan adoption.

- A **review of other countries' SEA effectiveness studies** allowed Irish SEA practice to be compared to Scottish, English and wider European practice.

This work led to key findings on the effectiveness of the SEA process and its direct and indirect outcomes in Ireland, and recommendations on how SEA effectiveness could be improved.

2 Effectiveness of the SEA Process

This section discusses how effectively the various stages of the SEA process, from screening to monitoring, are carried out in Ireland. **Table 1** summarises the findings of the case study review, but the remainder of this section is also based on the workshop, survey and interviews. Throughout this report, SEA effectiveness is categorised using the following colour coded rating system:

best practice ⟵——————————————————→ room for improvement   NA

Table 1: Summary Findings of the Case Study Review

	1. Screening	2. Scoping	3. Consultation	4. Plan Description	5. Existing Environment	6. Objectives, Targets, Indicators	7. Alternatives	8. Likely Significant Effects	9. Mitigation	10. ER and Non-Technical Summary	11. Amendment	12. SEA Statement	13. Monitoring	14. Post-Adoption	15. Appropriate Assessment
Killarney TDP															
Dublin City DP															
Fingal DP															
Grangegorman SP															
National Haz Waste Mgmt Plan															
Ulster Canal Restoration Plan															
Aquaculture & Shellfish Mgmt Strategy															
IOSEA4															
Transport Plan 2030 Vision															
Water Supply Project															
Shannon IRBD															
West Shannon PRP															
Offshore Renewable Energy															
Clare WES															
Lee CFRAMS															
FWPM Cloon Plan															
Limerick County Dev Plan															
Limerick City Plan															
EirGrid Grid25 IP															
Midwest RPG															
Border RPG															
Midlands RPG															
West RPG															
Greater Dublin RPG															
South East RPG															
South West RPG															

- Relevant plans and programmes in Ireland are generally being **screened** and subject to SEA where appropriate. However, some sectoral plans that fall outside the Planning and Development Act (e.g. forestry, agriculture) are not screened systematically.

- **Scoping** is identifying key environmental issues at an early stage, but is generally better at identifying what should be addressed in the SEA Environmental Report than at justifying what can be excluded. Most plan-making authorities publish scoping documents on their websites, which is considered useful. Scoping workshops are very useful, albeit sometimes resource-intensive. Scoping responses by the statutory consultees and the public, and how those responses have been addressed, need to be better documented. Some SEA topics may be scoped out before the full extent of likely significant effects has been determined. There is wide discretion with regard to scoping: different methods are used in organising the scoping phase including different methods of consultation (workshops, letters, meetings, etc.), and different forms of scoping reports (reports, papers, notifications) are produced.

- The **plan and its policy context** (including environmental protection objectives, indicators and targets) are generally described well. However, not all relevant other plans/programmes are readily accessible to review, and the lack of a centralised database of plans makes it difficult to determine what other plans exist. Many SEA frameworks do not use plan-specific indicators, quantitative indicators, or thresholds for intervention, and they often include indicators that the plan-makers do not have authority over. In some cases there is no standard set of objectives, indicators and targets that can be linked from plans at the top of the planning hierarchy to the lower level plans.

- Descriptions of the **environmental baseline** are generally well done, with manageable and relevant indicators linked to existing data sources. Many Environmental Reports contain high-quality constraints/sensitivity maps, though their usage could be more extensive. Data gaps are sometimes identified and addressed through policies and objectives in the plan. However, some significant data gaps can only reasonably be addressed at a national level via relevant statutory monitoring programmes. The information from this stage sometimes leads to significant changes in plans. The influence of this stage is sometimes limited by a lack of relevant data, for instance on non-designated sites, protected species and habitats, and air quality. The lack of a centralised environmental database increases the costs and time needed to obtain relevant data. Many Environmental Reports do not address the evolution of the environment in the absence of the plan for each SEA topic. An upward creep of data expectations is resulting in some very long Environmental Reports. In some cases there are problems in identifying the right scale of data for the baseline description, and so the assessment may not be at the right level of detail.

- The identification and consideration of reasonable **alternatives** is one of the biggest challenges in SEA and plan-making. SEA widens the scope of alternatives considered, and the process of developing alternatives allows consultees to become involved in plan-making. However, the consideration of alternatives is often limited by political agendas and a lack of integration between the SEA and planning teams. Planners often believe that there are no other reasonable options for their plan, and that consultants' alternatives are not 'reasonable'.

  There appears to be difficulty in identifying reasonable alternatives, and in some cases an adequate number of alternative solutions are not put forward in the assessment process. In some cases alternatives are developed retrospectively and put forward only to satisfy the requirements of the SEA Directive. The do-nothing scenario is often the only alternative considered.

The legislation does not provide a definition of what is considered a 'reasonable alternative' or specify how many alternatives must be assessed. The choice of reasonable alternatives is determined on a case-by-case basis, resulting in a mixed/ad hoc approach. In some cases reasonable alternatives are not put forward and in other cases reasonable and sustainable alternatives are put forward. While changes to the legislation are not recommended, as they might constrain the types of alternatives considered, it is acknowledged that there is clearly a need for guidance to ensure that reasonable alternatives are identified and considered robustly and with greater flexibility, depending on the plan type.

- **Impact assessment** and associated **mitigation** are generally done well. Constraints mapping is very useful in identifying significant effects, and proposed mitigation measures are generally specific to the plan's likely effects. Cumulative and transboundary effects, and the interrelationship of effects, are less well identified and assessed than direct effects. In addition, the SEAs do not always address all categories of effects (short, medium, long term, etc.) as set out in the SEA Directive. Clearer explanations could also be given of how effects are predicted. Mitigation measures are in some cases not taken into account in the plan or poorly documented. Where significant changes to the plan are recommended late in the plan-making process, this can be costly and time-consuming.

- SEA provides new opportunities for **consultation**. Public involvement in SEA tends to be limited, although SEA is sometimes used as a way of challenging the lack of environmental considerations in a plan. Most SEAs allow for consultation periods of at least four weeks. The statutory authorities often provide very helpful input on the draft plan and Environmental Report, and their submissions are leading to changes in plans. There is, however, some confusion regarding the role and requirements of statutory environmental authorities. The level of input varies widely between statutory authorities and is resource-dependent. Transboundary consultation is limited. Documentation of consultation responses and how they were responded to is also limited, and may overlap with other documents (e.g. manager's reports, post-consultation reports).

- The **quality of Environmental Reports** and their Non-Technical Summaries is generally high, with good use of GIS graphics. However, the reports often do not focus on key issues and as a result can be unnecessarily long. There are difficulties in deciding the level of detail to be included in the Environmental Reports for the purpose of strategic decision-making. They do not always clearly explain and justify why choices have been made and how mitigation measures have been incorporated into the plan. Non-Technical Summaries are typically concise and to the point. They are a key means of informing decision-makers and non-environmental stakeholders of key SEA findings.

- The **environmental effects of amendments to plans** are typically poorly considered. Although some plan amendments are being screened for SEA and appropriate assessment (with a new round of consultation taking place where appropriate), most are not. Generally the amendment stage is poorly documented and not transparent.

- Where, post-plan adoption **'SEA Statements'** are prepared correctly, they provide useful information on the influence of the SEA process. However, a lack of guidance on SEA Statements, and lack of a formal requirement for statutory authorities to follow up on their preparation and to review their quality, means that some SEA Statements are not produced and others are of poor quality. Documentation of consultation responses and how they were responded to is not always evident in the SEA Statements produced; however, where they are documented it provides a useful mechanism of ascertaining how the SEA process influences the plan.

● Proposed SEA **monitoring** programmes make good links between potential effects, mitigation and proposed monitoring. It would appear that specific SEA-related monitoring of plans' environmental effects is seldom carried out, but SEA monitoring is sometimes undertaken as part of other monitoring programmes. The required frequency of monitoring, responsibility for carrying out monitoring, monitoring of 'unforeseen effects', setting of trigger levels for intervention based on monitoring, and responsibility for checking that mitigation measures have been implemented are often unclear.

● Screening for **appropriate assessment** (AA, under the Habitats Directive) is mostly carried out as part of SEA, but otherwise the two processes could be more effectively integrated.

Figure 1 shows how these aspects of the SEA process interrelate, and how they affect direct and indirect SEA outcomes.

Figure 1: Effectiveness of the SEA Process and Wider Outcomes
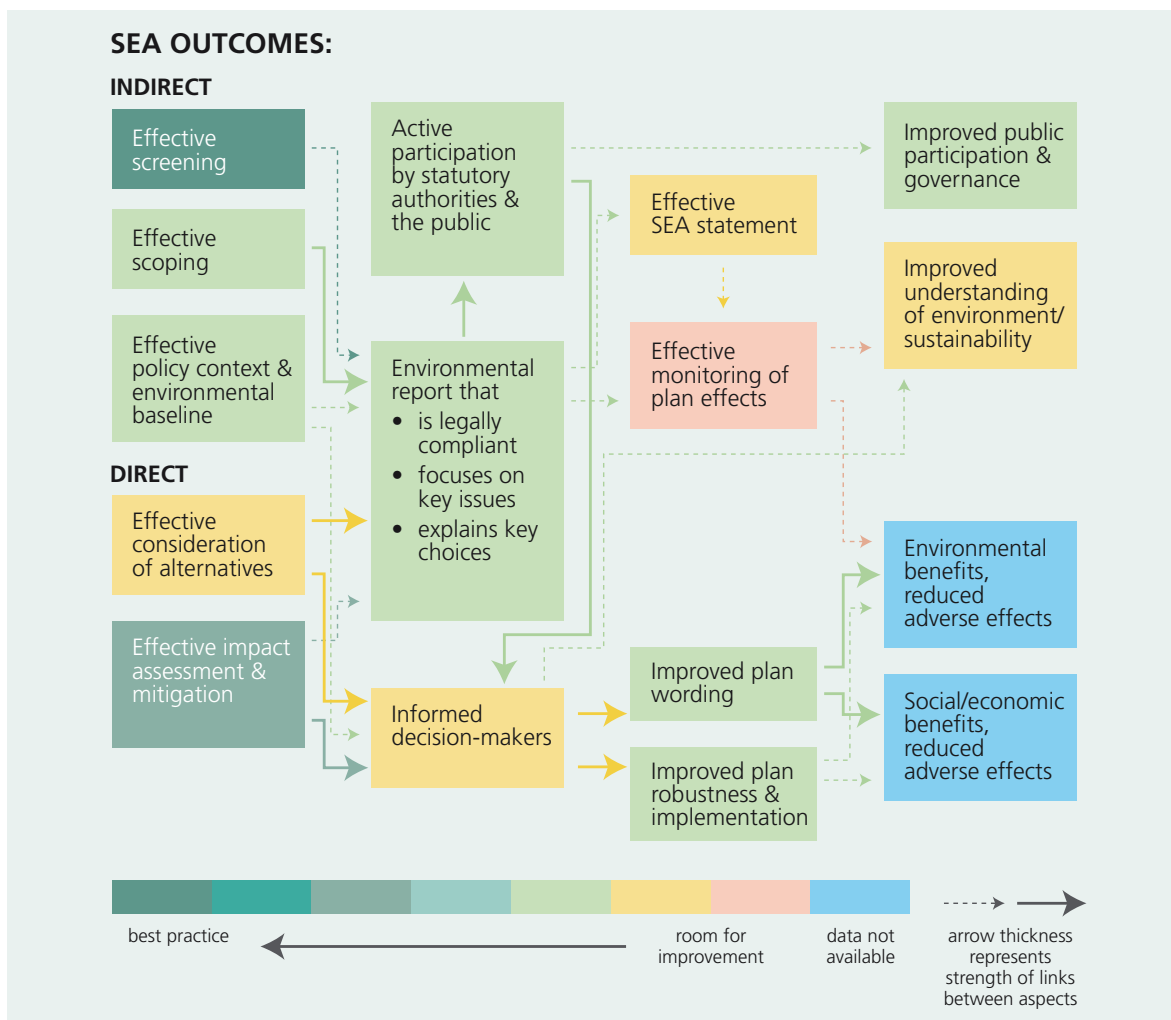
3 Wider Effectiveness of SEA

SEA practice in Ireland has similar benefits and limitations as in other European countries.

In order for SEA to be effective, it should achieve the following criteria.

- SEA should **start as early as possible** in the plan preparation process;

- SEA should be effective in ensuring that **environmental aspects** are given due consideration in plan-making;

- SEA should be **integrated** and sustainability-led, supporting a pro-active planning process that is driven by clear goals and objectives;

- SEA should **document and justify** how environmental and sustainability objectives are considered in the plan in a transparent and simple manner;

- SEA should be **stakeholder-driven**, with active involvement from key statutory and interested parties;

- SEA should consider and address the **environmental issues** raised by the **public** and therefore effective public consultation is critical to ensuring effectiveness;

- SEA should **provide sufficient, applicable, up-to-date and reliable** information in a cost- and time-efficient manner;

- The measures to address **potential effects should be clearly identified** and a programme for their implementation set out;

- SEA should identify and assess **new** and **environmentally sustainable alternatives** and should also justify the selection of the preferred alternative on environmental grounds;

- SEA should be **iterative**, being part of an ongoing decision cycle. It should inspire future planning through the potential amendment of strategic decisions. SEA needs to be **applied in a tiered manner** taking into account other relevant plans in the hierarchy, and should also inform project environmental impact assessment (EIA); and,

- SEA should be **flexible and adaptive** to the plan-making process.

Effectiveness and Wider Benefits of SEA in Ireland

Where SEA is undertaken well, and in particular where there is good integration between the plan-maker, SEA team and statutory authorities, ideally SEAs should have a **significant influence** on the plan preparation process and the level of environmental considerations within a plan, resulting in more **environmentally sound** plans.

Environmental considerations are now being integrated and addressed in plan-making in greater detail than before the SEA Directive, and SEAs often lead to changes in plan wording including policies and objectives. Mitigation measures identified as a result of SEAs are mostly reflected in the final plans, and SEA is beginning to influence project-level EIA. However, it is not always clear whether plans are being changed in response to the SEA, AA or the overall plan-making process. Where plans are already perceived as being sustainable, fewer changes are made.

SEA influence can differ for different environmental topics: for example, in Ireland the level of detail included in plans for assessing effects on water quality and biodiversity was greater than information addressed for protecting cultural heritage and landscape. This is often related to the expertise of the SEA team, whether guidance is available on that topic, and how available and up to date the baseline data are.

As most plans for which SEA has been undertaken have only recently been implemented and SEA-related monitoring has not taken place for a sufficient timeframe, if at all, it remains **unclear whether SEA is leading to widespread positive environmental outcomes and sustainable development and preventing adverse environmental effects** on the ground.

SEA leads to **clearer, more robust plans**, and **more transparent plan-making**. It also encourages planners to **consider other environmental Directives** such as the Water Framework and Habitats Directives, resulting in plans that are compliant with environmental policy and legislation. SEA **highlights data gaps** and can lead to collection of additional relevant baseline data. SEA also allows plan-makers to consider how their plans are contributing to national policy objectives and targets such as sustainable development, climate change and biodiversity.

SEA **raises planners' awareness of environmental sustainability issues and helps to develop organisational knowledge**. This is most effectively achieved through early and continuous links between the SEA/AA and planning teams. The SEA process also provides a forum for information sharing and training within and between departments, and between plan-makers and statutory authorities. SEAs that use GIS/constraints mapping tend to improve planners' understanding of the existing environment more than those that don't.

The **statutory environmental authorities' inputs to the SEA process are valued** and help to improve plans. The EPA's input is particularly valued. Consultation early in the process with key stakeholders and the public is very useful in identifying likely significant effects. Involvement of the EPA in particular at workshops facilitates and strengthens cooperation between different (planning and environmental) authorities.

SEA also provides a mechanism for other stakeholders, key agencies and the public to become more involved in public sector plan-making, allowing key environmental issues to be identified and addressed at an earlier stage in the process.

Limits to SEA Effectiveness in Ireland

To improve SEA effectiveness in Ireland, SEA and plan-making need to be better integrated and documented. The main reason for poor integration appears to be **poor buy-in to the SEA process from senior managers and decision-makers**. Many decision-makers treat SEA as a separate exercise, not integrated with the plan-making process. They perceive SEA as being time- and resource-intensive, and a simple checklist to be completed in order to advance a plan. Getting buy-in from decision-makers is crucial, and significant improvements are needed. This is gradually changing, however, as more SEAs are carried out and planners are becoming increasingly aware of their legal obligations and the benefits of SEA. Integration should improve in second and subsequent cycles of SEAs of plans.

In some cases SEA **scoping is ineffective**: SEAs cover too many issues, do not focus sufficiently on the critical issues and are unnecessarily detailed.

SEA input often commences too late in the process. SEA is most influential when it commences early in plan-making; SEAs that start later are less effective.

These problems are exacerbated by a **lack of documentation of how the SEA and plan-making processes are integrated**. The reasons for this are twofold. Where SEA is ineffective or leads to few changes, documentation of changes is not possible. Alternatively, where SEA is fully integrated in the plan-making process, changes arising from the SEA process may not be obvious in the plan even though they have clearly occurred. This is particularly the case for land use plans, where numerous changes to plan wording may take place during the course of the plan development.

SEA is perceived as having fewer 'teeth' than other instruments such as AA. Although the Environmental Report and consultation opinions must be 'taken into account' in plan-making, **the legal requirement of 'take into account' is unclear**. Decision-makers perceive it to be not necessarily legally binding/obligatory.

Although SEA governance in Ireland is generally good, it could be strengthened by giving statutory authorities a role in 'signing off' and/or following up on plans/SEAs and in ensuring that SEA Statements are prepared and SEA monitoring is carried out. Use of SEA consultants can help to keep the assessment unbiased and convince decision-makers of certain issues.

Some sectors in Ireland are lagging behind in implementation of the SEA regulations, for instance telecommunications, agriculture, forestry and tourism. While the EPA is perceived as being the primary environmental authority for SEA in Ireland, **no one body is responsible for overall SEA governance**.

4 Improving SEA in Ireland

While minor modifications to the legislation may help to address the key issues, no major changes to the legislation are required. Experience in applying the SEA Directive is still in the early stages, and stability in the legislative requirements is needed to allow SEA methodologies and processes to settle down and further experience to develop. Prescribed methods of integration can be too restrictive and may not take into account differences between different types of plans. Updates to guidance, provision of best practice notes, and training and awareness are recommended instead, as these provide 'how to' rather than 'how not to' approaches.

Figure 1 above highlights SEA areas where changes could particularly improve SEA effectiveness. These are areas that are currently under-performing, and that have particularly clear links to improving the outcomes. They are as follows.

Identification, assessment and documentation of alternatives is currently not carried out well.

Decision-makers need to understand the role and importance of SEA in order to make best use of it to improve their plan. At the moment, many decision-makers do not 'buy into' SEA, which results in poor understanding of environmental issues and sustainability (Direct Outcome of SEA).

SEA Statements are the main way that SEA effectiveness is documented. Some SEA Statements are not prepared at all, and many are of poor quality

Monitoring is seldom and poorly carried out, making it impossible to know whether SEA is having the desired outcomes of environmental protection, and whether intervention is required due to thresholds having been exceeded or whether SEA is improving the understanding and integration of the environmental considerations in decision-making.

best practice ⟵——————————————— room for improvement   NA

Taking into account variations in how well various components of the SEA process are carried out, and the influence that they have on environmental and planning outcomes, improvements to the components in orange and pink (which are linked to **Figure 1 above**) should be prioritised.

Stronger governance is also needed to ensure that:

- All relevant sectors engage in SEA, particularly those sectors not currently undertaking screening;

- SEA mitigation measures are fully implemented in plans;

- Statutory authorities review post-adoption SEA Statements and SEA-related monitoring results/ reports; and,

- SEA monitoring is being undertaken and reported on.

5 Key Recommendations

Based on the key areas requiring improvement identified in **Section 4** above and in **Figure 1**, the key recommendations that have emerged are listed below, with priority recommendations highlighted. Full details of the recommendations are provided in **Chapter 9** of this Report.

Guidance

The European Commission Review of 2009 recommended that Member States should identify what further SEA guidance is needed and who should develop it. In Ireland, there is a need for updates to existing guidance, new guidance notes and sector-specific guidance:

A1/A2	Increase awareness of existing guidance and update existing SEA guidance to reflect current best practice.
A3	Prepare a series of best practice guidance notes (see A3 in Chapter 9 for the full list of guidance notes recommended including Best Practice notes on alternatives, SEA Statements, monitoring).
A4	Prepare sector-specific SEA guidance notes for priority sectors.
A5	Prepare guidance for plan-makers on integration of SEA, AA and plan-making, and how to document changes to the plan as a consequence of SEA/AA.
A6	Prepare detailed guidance on cumulative effect assessment, in combination effects assessment and how to link SEA and AA in the assessment process.

Training and Awareness

There is a need to raise the profile of SEA in Ireland to ensure that senior planning authority personnel and decision-makers are fully aware of the requirements and benefits of SEA. The following training and awareness initiatives are therefore recommended:

B1	Develop and provide SEA and AA training modules to promote integration between SEA and AA.
B2	Develop and provide targeted SEA training for decision-makers, planners, engineers and public to raise SEA awareness and responsibilities.
B3	Develop and provide training on the assessment of effects (short, medium and long term, cumulative, synergistic, permanent, temporary, direct, indirect, interrelationships, etc.), including use of GIS.
B4	Convene a national SEA/AA conference every 2–3 years to exchange and promote best practice.
B5	Convene regional/national SEA/AA Fora in association with Regional Planning Authorities (RPAs) for land use plans.

Data Collation, Provision and Sharing

One of the key issues facing SEA practitioners is the lack of coordinated and up-to-date relevant baseline data, therefore the following is recommended with regard to data collection, provision and sharing:

C1	Develop a central database with access to all legislation, circulars, guidance and data from the statutory authorities, to include the development of a web-based SEA Portal that includes: a. All SEAs ongoing and completed (including SEA Statements); b. All plans and programmes; c. Legislation, circulars and guidance; d. Best practice examples; e. National standardised set of objectives, targets and indicators; f. SEA-related monitoring; g. Appropriate Assessments; and, h. Baseline information, including GIS data.

Governance and Legislation

No major changes to the legislation are required, but the governance of SEA could be strengthened through the following mechanisms:

D1	Establish a national SEA/AA Technical Forum comprising members of the statutory authorities to:
	
	A. Promote overall compliance with the requirements of the SEA Directive and Regulations;
	B. Promote consistency in responses from the statutory authorities;
	C. Seek to ensure that:
	   ▪ Data gaps are addressed on a priority basis;
	   ▪ SEA Statements are prepared;
	   ▪ SEA mitigation measures are implemented;
	   ▪ A set of standardised key national environmental objectives, targets and indicators are developed and agreed; and,
	   ▪ SEA monitoring is undertaken.
	D. Review SEA Statements; and,
	E. Review SEA monitoring reports and related targets.

D2	Establish SEA/AA Regional Technical Fora comprising planning authorities, statutory authorities, SEA/AA practitioners and regional planning authorities.
D3	Issue a Circular Note on Article 8 of the SEA Directive, i.e. 'take into account'.
D4	Identify sectors where SEA has not yet commenced and promote awareness and engagement through guidance and training.
D5	Develop and agree National SEA/AA Key Performance Indicators (KPIs) to evaluate SEA and AA effectiveness.
D6	Resource statutory authorities so that they can engage more effectively at key stages in the SEA process.

6 Conclusions

This Review has considered how SEA has been implemented in Ireland since its introduction in 2004. It is clear from the Review that SEA is fulfilling its role and is providing a vital tool for environmental protection in Ireland. SEA ensures that environmental considerations are taken into account in policy development and implementation, and is raising the profile of environmental issues in decision-making at plan level among those sectors applying SEA. It is also clear that the EPA has built a framework of support to improve SEA effectiveness and implementation, and this framework is appreciated by plan-makers and practitioners alike. Furthermore, the Review indicates that the implementing legislation in Ireland is broadly appropriate and no significant difficulties have arisen with interpretation to date that would warrant substantial changes.

However, while considerable progress has been demonstrated in applying SEA in Ireland over the past eight years, a number of challenges have been identified which are acting as barriers to ensuring effective implementation across the board. These challenges are similar to those experienced in other EU Member States.

Recommendations and actions have been developed as part of this Review which range from changes to governance through to provision of new guidance in key areas, training and awareness raising and data management. These recommendations are detailed in Chapter 9 of the Report. Successful implementation of the recommendations/actions will improve SEA effectiveness through better integration, more effective governance and more focused assessments.

How SEA progresses into the future will very much depend on the political support given to the process. SEA must be seen to be a serious piece of legislation with as much influence as Appropriate Assessment. For that, the designated Statutory Authorities (including those newly appointed under the 2011 amended Regulations) must be given the resources to deal specifically with the statutory consultation required under the legislation. To date the EPA has offered the most consistent and comprehensive support and this model is something that could be adopted and expanded by the other statutory authorities into the future. Without adequate resourcing those statutory authorities charged with steering SEA forward and with implementing the recommendations that have emerged from this Review will not be in a position to offer genuine support and mentoring. The outcome will be plan-makers that see SEA as a luxury they cannot afford to deal with in any real or meaningful way.

As a direct response to the recommendations of the SEA Review a National SEA Technical Forum comprising the five statutory authorities has now been established. The forum has met in February, April and July 2012 to set about implementing the key priority recommendations of this Review. The key recommendations will be implemented through an SEA Action Plan which has been formulated and agreed by the 5 statutory environmental authorities*. The SEA Action Plan is published alongside this SEA Review and can be accessed on www.epa.ie.

Overall, SEA provides an opportunity to really influence decision-making early in the planning process. Achieving this can happen if plan-makers, SEA practitioners, the statutory authorities and other interested stakeholders come together and act on the recommendations and actions in this Review to work towards best practice in SEA in Ireland.

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* DECLG, DAHG, DAFM, DCENR and EPA.

Report on Key Findings
& Recommendations

1   Introduction and Context

In 2011, RPS was commissioned by the Environmental Protection Agency (EPA) to carry out an independent Review of the effectiveness of Strategic Environmental Assessment (SEA) in Ireland. Article 1 of the SEA Directive states that the objective of SEA is 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,[1] with a view to promoting sustainable development and to ensure that the likely significant effects of plans are addressed.

1.1 Objective of the Review

It is 10 years since the European Directive 2001/42/EC, the SEA Directive, came into force and nearly eight years since the passing of the Irish SEA Regulations 2004 (S.I. No. 435 and S.I No. 436 of 2004) as amended by S.I. No. 200 and S.I. No. 201 of 2011. This review is the first formal consideration of how SEA is performing in Ireland, and was initiated by the EPA to understand the extent to which SEA is making a difference to Irish plan-making process.

The review was undertaken in partnership with the statutory SEA Environmental Authorities and was overseen by a Project Steering Group. The project team is grateful for the group's expert input.

Project Steering Group	
Bernadette Guest	Waterford County Council (WCC)
Teresa O'Reilly	West Regional Authority (WRA)
Noel McGloin	Inland Fisheries Ireland/DCENR
Peter Carvill	DAHG/National Parks and Wildlife Service (NPWS)
Mícheál Lehane	Environmental Protection Agency (EPA)
Tadhg O'Mahony	EPA
Neil Deasley	Scottish Environment Protection Agency (SEPA)
John Martin	Department of Environment, Community and Local Government (DECLG)
Patrick O'Sullivan	DECLG
Gabrielle McKeown	DECLG

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1   For the purposes of this report, plans and programmes are jointly called 'plans'.

The findings and views expressed in this report are based on information gathered from workshops, online questionnaires, interviews and casework analysis and are not exclusively the views of the EPA. The review includes an impartial analysis of the EPA's and the other statutory bodies' performance and roles. Review of draft material by the Project Steering Group was a means of ensuring that the analysis of the EPA was robust and impartial. A peer review was also undertaken by Dr Riki Therivel, an expert on SEA in the UK.

1.2 Defining Effectiveness

The primary purpose of the Review is to determine how effective the SEA process is in integrating environmental considerations into Irish plans with reference to the following four **key questions**:

Question 1	What influence is the SEA process having in identifying significant effects of implementing plans?
Question 2	Is the SEA process informing and supporting effective integration?
Question 3	What opportunities exist to improve the SEA process?
Question 4	How effective is SEA governance?

No agreed definition of SEA effectiveness exists. A European Commission (2009) study on SEA effectiveness reported that perception of effectiveness across Member States related to how it had impacted on national planning procedures, the content of plans, the cost of the process and stakeholder perception. A follow-up text[2] on the same subject suggested that effectiveness is based on *the degree to which planning procedures and decisions have been influenced by the integration of environmental considerations and the extent to which plans are amended as a result of application of the SEA procedure*. For the Scottish Environmental Protection Agency et al. (2011), the focus was on better environmental outcomes that enable real changes to a plan.

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2 Report from the Commission to the Council, The European Parliament, The European Economic and Social Committee and the Committee of the Regions: On the application and effectiveness of the Directive on SEA 2009.

The effectiveness of SEA relates to how much it changes things (**outcomes**) and it can have either a direct or an indirect effect, for instance:

Directly	■ Whether it leads to changes to *plan wording* to improve the plan's environmental benefits and reduce its environmental costs (*linked to Question 1*). ■ Whether *plan implementation* is leading to environmental improvements and avoiding environmental harm (*linked to Question 1*). ■ Whether it makes the plan *clearer, easier to implement, and more robust* to challenge (*linked to Questions 1 and 2*). ■ Whether it improves *social and economic* aspects of the plan.
Indirectly	■ Whether it improves *planners' understanding* of the environment, sustainability and/or their plan; and thus possibly the effects of subsequent plans and projects (*linked to Questions 1 and 2*). ■ Whether it improves *public participation and governance/democracy* (*linked to Questions 1, 2 and 4*). ■ Whether it improves *integration between the various parties involved (appropriate assessment team, plan-makers, SEA team, stakeholders and the public)* (*linked to Question 2*).

In turn, effective SEA requires effective ***inputs*** (which are linked to **Table 1.1** and **Figure 1.1** below), including:

■ Application of SEA to all relevant plans (i.e. for the 11 sectors (see **Table 2.1** below which lists these) including effective *screening* (No. 1));

■ Effective *scoping* (No. 2) including consultation with Statutory Authorities (SAs);

■ A good-quality *Environmental Report* (No's 4–6, 7, 9, 10, 15) which:

  ● Is legally compliant;

  ● Focuses on key issues and likely significant effects and is not over-detailed or over-long;

  ● Focuses on reasonable and realistic alternatives; and,

  ● Explains the main choices faced by decision-makers.

■ Active *participation by statutory authorities and the public during the scoping stage and the Environmental Report stage* (No's 3, 15);

■ *Informed decision-makers* who make decisions that take into account the findings of SEA (No. 15);

■ *Monitoring* of plans' environmental effects (No. 13); and,

■ *Training of all staff and SEA Practitioners.*

Table 1.1 shows the key areas of SEA assessed in this Review. These form the basic structure for this review, and for the analysis of strengths, weaknesses, opportunities and threats of **Chapter 8** and to assist in answering the key four questions posed above. **Figure 1.1** shows how they interrelate, with the thicker red arrows denoting stronger links. It also shows how they relate to the SEA outcomes discussed above.

Table 1.1: Key Areas of SEA Assessed

1. Screening Stage
2. Scoping Stage
3. Consultation on Draft P/P* and ER
4. Plan Description and Review of other P/P*s
5. Existing Environment
6. Objectives, Indicators and Targets
7. Alternatives
8. Likely Significant Effects of the P/P*
9. Mitigation Measures
10. Environmental Report and Non-Technical Summary
11. Amendments to the P/P* Following Consultation
12. SEA Statement
13. Post Adoption Including Monitoring
14. Appropriate Assessment (AA)
15. Influence of SEA, Integration with Plan-Making
16. SEA Governance

* Plan or Programme

Figure 1.1: Interrelations between Key Areas of SEA

Thicker and red arrows denote stronger links. Numbers relate to the key areas of SEA assessed.
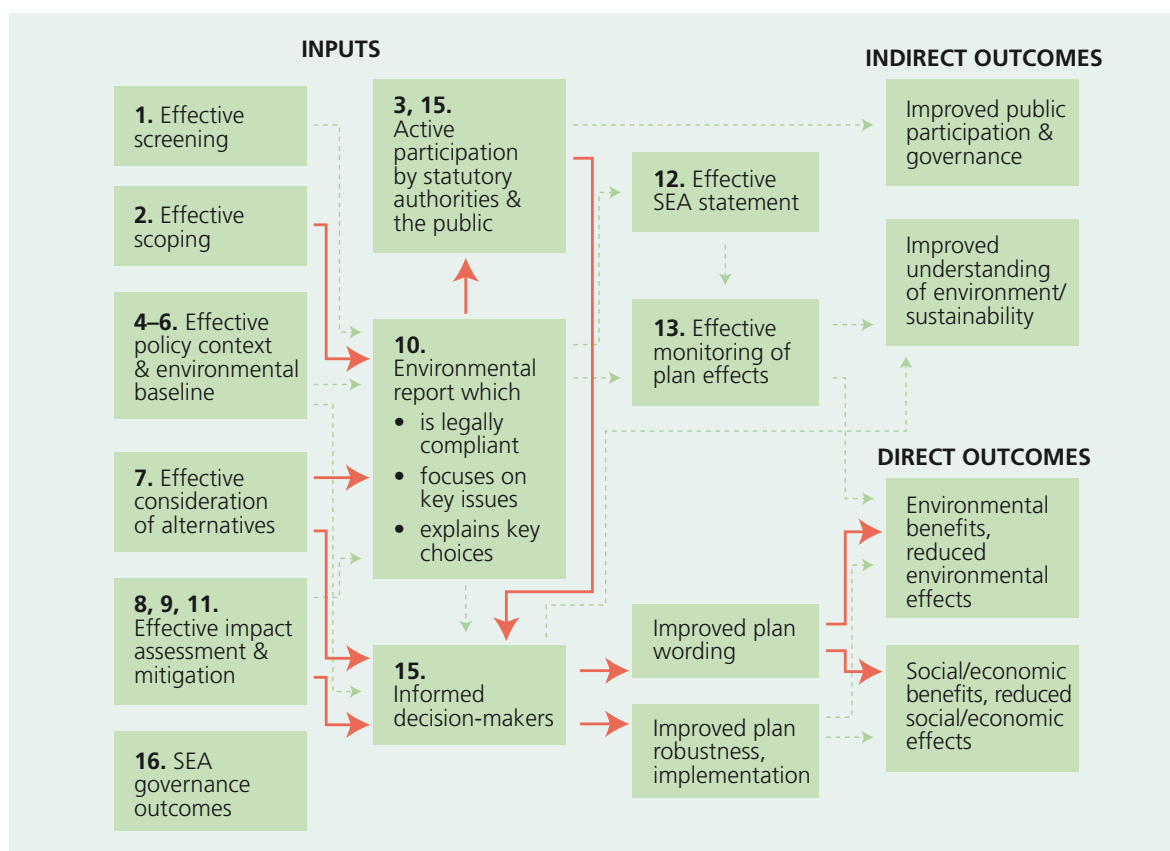
The four main research questions of this Review are tested through an analysis of the key areas assessed, as follows:

The main four research questions …	are tested through an analysis of…
■ What influence is the SEA process having in identifying significant effects of implementing plans?	8, 9, 11 as per **Table 1.1** and **Figure 1.1** above.
■ Is the SEA process informing and supporting effective integration?	Direct outcomes.
■ What opportunities exist to improve the SEA process?	Inputs that are not carried out well and that have significant influence on the outcomes.
■ How effective is SEA governance?	16 as per **Table 1.1** and **Figure 1.1** above.

1.3 Structure of the Review

Chapter 2 of this report describes how the SEA Directive has been implemented in Ireland.
Chapter 3 provides further information on the methodology used to conduct this review.
Chapters 4–7 summarise, respectively, the findings of the workshop, online questionnaire,
case studies and interviews, and literature review. **Chapter 8** draws conclusions from the previous
chapters about the effectiveness of SEA in Ireland. **Chapter 9** makes recommendations for improving
SEA practice in Ireland. A glossary explains relevant terms.

2 Implementation of SEA in Ireland

2.1 Introduction

This chapter provides a brief overview of how SEA has been implemented in Ireland. In 2001, the European Union adopted Directive 2001/42/EC on the assessment of the effects of certain plans and programmes on the environment (referred to hereafter as the 'SEA Directive'). The SEA Directive requires certain plans and programmes that are likely to have significant environmental effects to undergo a formal environmental assessment. The SEA Directive was formally adopted on 27 June 2001 and published in the Official Journal of the European Communities on 21 July 2001. Member States had three years from the latter date in which to transpose the Directive's requirements into national law.

2.2 SEA Directive Implementation in Ireland

The SEA Directive was transposed into Irish law in 2004 through the following Regulations.

European Communities (Environmental Assessment of Certain Plans and Programmes) Regulations 2004 (S.I. 435 of 2004).	Require SEA for non land use plans
European Communities (Environmental Assessment of Certain Plans and Programmes (Amendment)) Regulations 2011 (S.I. 200 of 2011)	Key Changes include: ■ Inclusion of 'town and country planning or land use' within the definition of plans and programmes. ■ Expansion of the Minister's role as a designated environmental authority for the purposes of SEA. ■ Making plans, reports and decisions more accessible for public inspection.
Planning and Development (Strategic Environmental Assessment) Regulations 2004 (S.I. 436 of 2004)	Require SEA for land use plans
Planning and Development (Strategic Environmental Assessment) (Amendment) Regulations 2011 (S.I. 201 of 2011)	Key Changes include: ■ A reduction in the population threshold in the case of the mandatory undertaking of an environmental assessment of a local area plan. ■ A requirement for the making of a determination as to the need for an environmental assessment of a local area plan with a target population under 5,000 persons or where the area covered by the local area plan is less than 50 square kilometres. ■ Expansion of the Minister's role as a designated environmental authority for the purposes of SEA. ■ Making plans, reports and decisions more accessible for public inspection, including on the website of the competent authority.

In total, 287 SEAs were completed or in the process of being completed in Ireland between July 2004 and November 2011. Eleven sectors are specified in the Directive: agriculture, forestry, fisheries, energy, industry, transport, waste management, water management, telecommunications, tourism, and town and country planning or land use. Competent authorities (plan makers) must subject specific plans and programmes within these sectors to an environmental assessment where they are likely to have significant effects on the environment.

Figure 2.1 and **Table 2.1** provide an overview of the number of SEAs completed in Ireland to date per sector. Most (81.2%) of SEAs completed have been for planning/land use plans, followed by water (7.3%), energy (5.6%) and fisheries (3.5%). Critically, no SEAs have been submitted for forestry, tourism or telecommunications plans. This issue is addressed under Governance in Chapter 9 on Recommendations.

Figure 2.1: Percentage of SEAs Completed per Sector
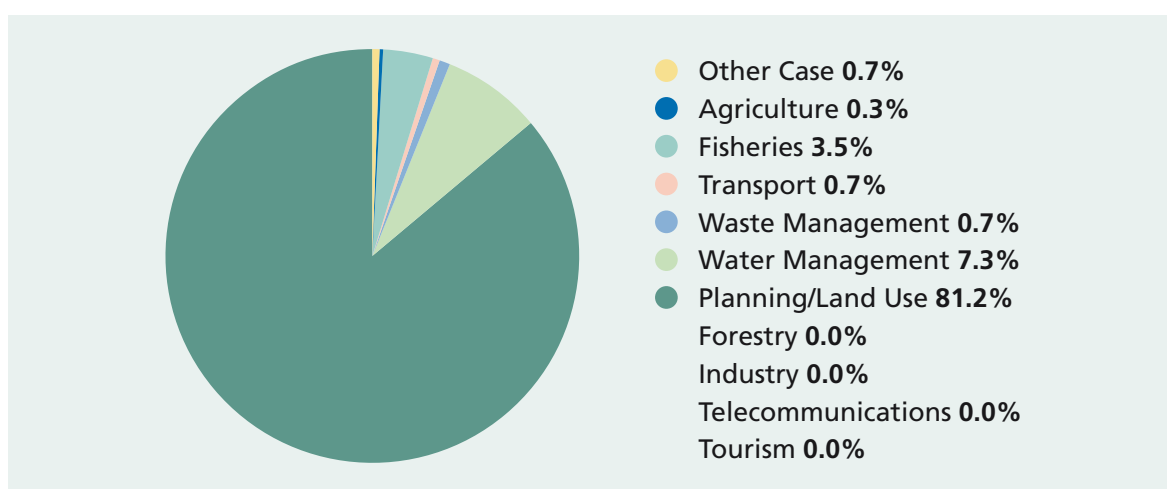
Total Number of SEAs: 287

Table 2.1: Number of SEAs completed per Sector

Sector	Number of SEA	Sector	Number of SEA
Agriculture	1	**Forestry**	0
Fisheries	10	**Energy**	16
Industry	0	**Transport**	2
Waste Management	2	**Water Management**	21
Telecommunications	0	**Tourism**	0
Planning/Land Use	233	**Other Case**	2
Total			**287**

Figure 2.2 shows that the number of SEAs prepared for land use plans is highest at a local level: 63% of SEAs prepared were for local-level plans, 21% were for county-level plans, 8% were for regional-level plans and 4% of SEAs completed were for national and transboundary plans.

Figure 2.2: Percentage of SEAs on Plans within the Planning Hierarchy

Legend:
- Transboundary **4%**
- National **4%**
- Regional **8%**
- County **21%**
- Local **63%**
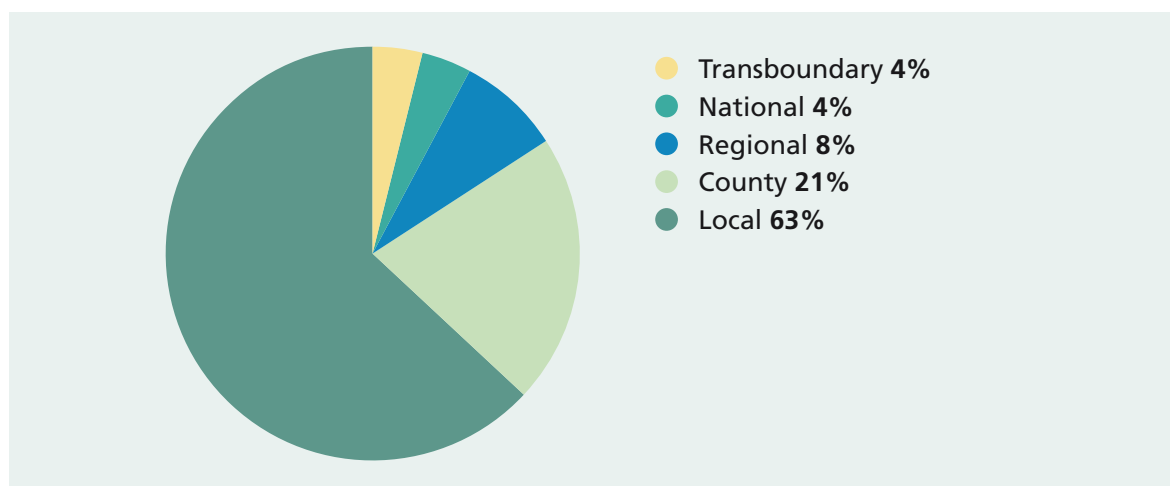
2.3 Current Guidance on SEA and Implications for SEA Land Use Plans and Sector Plans

In Ireland the EPA has produced guidance on methodologies for implementing the SEA Directive: *Development of SEA Methodologies for Plans and Programmes in Ireland* (Scott and Marsden, 2003).

In addition, the Department of the Environment, Heritage and Local Government (now the Department of the Environment, Community and Local Government) has prepared guidance for SEA of land use plans (DECLG, 2004), which links the requirements of the Planning and Development (Amendment) Act 2010 and the Planning and Development (Strategic Environmental Assessment) Regulations. It provides guidance on screening of land use plans, consultation, timeframes etc. It also takes account of the differences between S.I. 435 and S.I. 436 of 2004, for instance the differing consultation timeframes for land use plans and sector-related plans (waste, water etc.).

In addition, the following guidance has been prepared by the statutory authorities and is available on their respective websites.

EPA

- SEA Scoping Guidance Document (EPA, 2011);
- SEA Pack (2011 – ongoing) (constantly evolving document updated regularly with the aim of keeping relevant and up-to-date information, legislation and guidance available to plan makers);
- SEA Environmental Integration Guidance (EPA, 2010);

- Draft SEA Screening Assessment Worksheet (EPA, 2010);

- Integration of Environmental Considerations into Land Use Plans (EPA, 2010);

- SEA Environmental Report and Plan Template (EPA, 2010);

- SEA Process Checklist – Consultation Draft (EPA, 2008);

- Strategic Environmental Assessment (SEA) and Climate Change: Guidance for Practitioners Environment Agency UK (2004), available on EPA website; and,

- GISEA Manual – Draft (EPA, 2009).

DEHLG (now DECLG)

- Assessment of the Effects of Certain Plans and Programmes on the Environment: Guidelines for Regional Planning Authorities (DEHLG, 2004).

NPWS (now part of Department of Arts, Heritage and the Gaeltacht – DAHG)

- Appropriate Assessment of Plans and Projects in Ireland (NPWS, 2009).

This chapter has provided an overview of how the SEA Directive has been implemented in Ireland. **Chapter 3** describes the methodology used in this Review. **Chapters 4–7** summarise the findings of the key elements of the study (workshop, online questionnaire, case studies and interviews, and literature review), and provides an analysis of how effective SEA is in Ireland. **Chapter 8** summarises the key benefits of SEA in the Irish planning process and discusses whether SEA is leading to sustainable plans. **Chapter 9** provides an overview of the Key Recommendations and Conclusions.

The Government considers that the full implementation of the SEA Directive is critical to ensuring that plans fulfil other environmental legal requirements, including the Habitats Directive and climate change commitments. Again this Report investigates how effective the SEA process is in integrating other environmental legislation into the plan-making process.

3 Methodology

The Review process involved several key stages, shown in **Table 3.1**.

Table 3.1: Key Stages of the Review

Review Stage	Description	Reference
Workshop	The Workshop was attended by up to 40 key stakeholders to canvass opinion on the effectiveness of SEA.	Summary findings are presented in **Chapter 4** of this Report and a detailed Report is included in **Appendix A** of the Technical Appendices.
Online Survey	The online questionnaire was completed by 95 SEA practitioners and plan-makers to gather information on SEA practices in Ireland today.	Summary findings are presented in **Chapter 5** of this Report and a detailed Report is included in **Appendix B** of the Technical Appendices.
Case Study Review	A review of 20 SEA Case Studies in Ireland was undertaken which provided the context for the study and assisted in establishing the effectiveness of application of SEA in Ireland. These were supplemented by follow-up interviews with relevant SEA practitioners/ plan-makers to elicit further information regarding the SEA process. In addition, the findings from a similar effectiveness study, undertaken by the West Regional Authority, on six of its Regional Planning Guidelines (RPG) 2010 Review fed into the process.	Summary findings are presented in **Chapter 6** of this Report and a detailed Report is included in **Appendix C** of the Technical Appendices.
Literature Review of other effectiveness studies	A review of other EU/UK studies into SEA effectiveness was undertaken to put the results of the case study review into context.	Summary findings are presented in **Chapter 7** of this Report and a detailed Report is included in **Appendix D** of the Technical Appendices.

Review Stage	Description	Reference
Conclusions about SEA effectiveness in Ireland	Analysis and synthesis of the findings from the workshop, online survey, case studies and interviews, and study of other effectiveness studies. This includes an analysis of strengths, weaknesses/limitations, opportunities and threats of SEA effectiveness in Ireland to date.	**Chapter 8** and **Appendix E** of the Technical Appendices.
Recommendations, including Key Performance Indicators	Development of overall recommendations to improve the effectiveness and efficiency of SEA in Ireland, including development of Key Performance Indicators to measure SEA effectiveness.	**Chapter 9** and **Appendix 1** of this Report.

At each stage of the Review, the key areas of SEA (**Table 1.1**) were reviewed to analyse how effective SEA integration, consideration of likely significant effects and governance were addressed. The Technical Appendices A–E are available on the EPA's website – http://www.epa.ie/whatwedo/advice/sea/

4   Key Findings of the Workshop

An EPA SEA Effectiveness Workshop, facilitated by RPS, was held on 7 July 2011. Its purpose was to elicit feedback from SEA practitioners, plan-makers and key stakeholders regarding the effectiveness and efficiency of the SEA process in Ireland and to identify ways to improve the process.

Issues raised and opinions put forward by the workshop participants are summarised below with reference to the four key questions identified in **Section 1.2**. A copy of a detailed Report prepared on the Workshop is provided in **Appendix A** of the Technical Appendices.

4.1 What Influence is the SEA Process Having in Identifying Significant Effects of Implementing Plans?

Most participants indicated that overall SEA is addressing and identifying significant effects of plans. Specific cases were cited where the SEA process has avoided development in environmentally sensitive areas: for instance the SEA for the Killarney Town Development Plan 2009–2015 resulted in the avoidance of development in a floodplain, and that for the Clare Wind Energy Strategy resulted in the avoidance of wind farm development in SPAs. This is particularly the case where a new type of plan is being considered (e.g., Wind Energy Strategy). It was considered that SEA is the only way in which some government departments are examining their environmental effects: although some sectors use 'sustainability appraisal', this was not thought to be as strict or binding, or to address all environmental issues as would be the case under SEA. Participants also commented that the influence of SEA has grown since its initial implementation in Ireland and that this influence is expected to rise following enactment of the Planning and Development (Amendment) Act 2010. Also, improvements in the technology available for carrying out SEA, e.g. GIS, are increasing its influence.

Conversely, some participants noted that those environmental considerations that are now being identified through SEA would have been identified in the past even without SEA, based on the requirements of other legislation, e.g. Habitats Regulations. However, others noted that cumulative assessment would not have been addressed without SEA and that the Habitat Regulations and their requirement for Appropriate Assessment have only been enforced in Ireland since 2009. Others pointed out that SEA may not be very effective in identifying potential effects if the issues are not scoped correctly in the first place or are screened out too early, if up-to-date baseline information is not available, if the plan and SEA team are not experienced enough to address effects, or if environmental considerations are diluted by social and economic (non-environmental) considerations.

Generally, participants agreed that SEA is having an influence on plan-making, with SEA recommendations generally being accepted. SEA has also made decision-making more transparent. However, several participants noted that other legislative instruments, such as the Habitats Directive, currently have more influence than SEA. It was observed that SEA can be used as an umbrella to bring all of the requirements of these types of assessments together for presentation and that this can be a valuable feature of SEA.

It was felt that the influence of SEA varied depending on the level of plan being considered, and that as you move up the hierarchy the potential for meaningful influence is diminished as some 'broad-based' or 'generic' plans do not lend themselves to typical SEA. In addition, the influence of SEA can differ for different aspects of the environment. For example, based on experience of SEAs prepared to date, the participants indicated that the SEA process might be very effective in protecting water and biodiversity but less effective in protecting cultural heritage. This is often related to the expertise present within the SEA team as well as to whether guidance is available on a particular topic, such as landscape character assessment.

4.2 Is the SEA Process Informing and Supporting Effective Integration?

Participants' perception of SEA varied between those that feel SEA provides a coherent set of environmental data and ensures that all sectors are engaged, and those that feel SEA can involve a lot of repetition and wasted work for a set of recommendations that do not have much legislative weight and so may be ignored.

Many participants commented that the SEA and plan-making processes need to be iterative and concurrent. Good communication and accessibility between the staff preparing the SEA and the plan was felt to be essential to ensuring that the two processes are integrated. Examples of how this can be achieved were provided, including use of workshops, overlapping members of the plan-making team and SEA team, and the use of an SEA officer who liaises with relevant experts. In all cases the need for early integration, whatever the level, was noted as being key to its success as this should ensure that the SEA findings are taken into account by decision-makers. Participants felt that Government should engage with the local political system to ensure this integration. SEA could be 'marketed' to get plan-makers on board as this makes them more accepting of its implications.

Alternatively, it was suggested that the legal strength of the SEA recommendations needs to be increased to ensure that they are integrated into the plan. The requirements of the SEA Directive should be in line with those of the Habitats Directive in so far as an SEA provides 'recommendations' and an Appropriate Assessment provides 'requirements'. Rigorous documentation of the ongoing decision-making process would help to make the SEA more transparent.

Participants noted that implementing the findings of SEA can sometimes be costly and time consuming if significant changes to policies are required, particularly if an iterative approach has not been adopted throughout the plan making process. As a result it is important that all SEA findings are evidence-based as this convinces decision makers of the value of the information contained in the SEA. It was considered that an iterative SEA where policy is continually challenged and refined by the SEA from the start is not as costly as an SEA that is left to the end of the process.

Development of more and better guidance regarding the integration of SEA into plans was recommended by the vast majority of participants; with suggestions including development of best practice guidance for specific SEA sectors, i.e. forestry, wind, etc. However, others felt that prescribed methods of how to integrate the two processes were unhelpful as they can be too restrictive and may not take into account the differences in the types of plans that are subject to SEA. Instead guidance on integration of planning and SEA or examples of best practice would be helpful as it would provide a 'how to' rather than a 'how not to' approach.

4.3 What Opportunities Exist to Improve the Process?

New SEA legislation (see **Section 2.2**) has been prepared and additional changes could be incorporated into revised legislation in the future. A number of changes to the SEA legislation were suggested by the participants:

- Strengthen requirement for all sectors to engage in preparing SEA.

- Extend statutory consultation periods beyond the current minimum and make consultation with a wider audience mandatory during scoping.

- Strengthen the 'bite' of SEA by requiring SEA recommendations to be included in the plan.

- Require monitoring data to be reviewed at regular intervals and require action if targets are breached. The use of monitoring and indicators should be mandatory, with a duty to carry out/ make use of these and report on the results similar to an Annual Environmental Report style approach. Monitoring should always be specific and practical. In particular, when a new plan is being proposed, the monitoring results from the previous plan should be reviewed to determine how the environment has changed since implementation of the plan.

- Provide a mechanism to void a plan where the SEA process is deemed inadequate.

- Link the requirements for SEA scoping and AA screening.

Several participants indicated that changes to the legislation would be less helpful than issuance of more guidance documents, best practice notes and examples. This would limit what is necessary under the legislation to what is reasonable. In particular, guidance was requested on whether a plan that requires AA also automatically requires SEA, and what SEA elements are mandatory versus best practice. Further clarity on the definitions of the different types of effects (permanent versus temporary, synergistic versus cumulative) was also requested.

Overall it was considered that experience in applying the Directive is still in the early stages, and stability in the legislative requirements is needed to allow SEA methodologies and processes to settle down and allow further experience to develop. However, it was noted that if SEA legislation is not going to be strengthened, there needs to be a mechanism to ensure that decision-makers take full account of SEA findings. This could be done by requiring decision-makers to document where SEA recommendations have been considered but not acted on, and the reasons why. This would allow economic and social considerations to take precedence in some cases over environmental issues, but would make it essential that the reasons behind this are transparently documented. Implementing

this requirement as best practice in Ireland would not require changes to the existing legislation, and numerous examples are available.

Several participants recommended the establishment of an observatory or working group/forum to come together on a regular basis to discuss how the SEA process is functioning, and to suggest improvements to the process.

In addition participants were split on whether they thought long-term Key Performance Indicators (KPIs) would be useful in assessing the effectiveness of SEA in future, with the majority expressing doubt and commenting that the work involved in using KPIs to measure effectiveness may be disproportionate to the benefits gained. Those that favoured the use of KPIs noted that it would be important to audit environmental outcomes (i.e. through monitoring) rather than the SEA inputs (i.e. through case study reviews): the influence of a good SEA may not be visible in the plan itself, so it is difficult to measure performance. Outcome indicators could include those of various International Conventions and EU Directives, such as the Marine Strategy Framework Directive and Water Framework Directive, as these are indicative of sustainable planning and would be expected to be implemented in part through SEA. Suggested Key Performance Indicators that emerged from the Review are discussed in **Section 9.2**.

Participants commented that when investigating the potential for use of KPIs, the study team should look at the potential of using the monitoring proposals put forward in the SEA ERs to check if the targets for monitoring were achieved. For example, under the Water Framework Directive where there is a target to 'Achieve Good Status by 2015' a potential KPI would be to see if this target was achieved.

4.4 How Effective is SEA Governance?

Consultation responses from Statutory Authorities (SAs) were felt to be critical in assisting the SEA to influence plan-makers, as these often confirm/strengthen SEA recommendations for monitoring requests, policy changes, etc. However, the role of the SAs and the types of comments they should provide was felt to be unclear, with some participants noting that SAs' responses at times seemed to go beyond legal SEA requirements. It was noted that SAs should better distinguish between SEA 'requirements' and best practice.

The usefulness of SAs' input appears to vary, with the EPA taking the lead in SEA and providing, in most cases, very detailed and plan-specific responses, and being available for face-to-face engagement where requested. It was suggested that the other statutory authorities should take on responsibilities and provide feedback in a similar manner. Suggestions were made for the EPA to focus on plan-specific comments in its responses, which are generally included in the latter pages of the feedback, as these are considered extremely helpful.[3]

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3   This has been addressed in EPA submissions through inclusion of a summary sheet at the start of the main body of the submission highlighting the key environmental issues to be addressed.

The DECLG was also noted as consistently responding to consultation requests, although the level of detail and usefulness of its responses was felt to vary by region. It was considered that the Development Applications Unit (DAU) of the DECLG (the formal path for SEA consultation) acts as a delay or even a barrier to feedback from the NPWS. It was considered that direct contact with the relevant person in the NPWS could improve the process and avoid delays that currently occur through contact via the DAU or equivalent centralised body within the DAHG where the NPWS now resides.

Both the EPA and NPWS (in certain divisions) were praised for often going beyond provision of feedback by providing helpful advice. Conversely, the Department of Communications, Energy and Natural Resources (DCENR) usually only acknowledges receipt, although individual sections within the Department, such as Inland Fisheries Ireland, may send a separate response if they deem it necessary. This was felt to be unfortunate, as there is significant opportunity for the DCENR to become involved in marine spatial planning.

The lack of resources within all SA departments, in conjunction with the time requirements for providing plan-specific responses, engaging in workshops and ensuring monitoring is being undertaken, was felt to be a key limitation to effective SEA governance and integration. Several participants suggested that SAs do not need to have a greater role in the SEA process, since this would further overload their already limited resources; instead any uncertainty that exists in relation to the role of SAs should be cleared up with updated guidelines. Others argued that the roles of certain SAs should be expanded, as none currently have an SEA enforcement role. In particular, it was suggested that the EPA be given the power to 'sign off' or 'enforce' the findings of an SEA. This includes the screening stage, as the EPA has the power to review these documents but it currently cannot legally make a competent authority alter a decision not to carry out an SEA.

Rather than expanding the role of the existing SAs, some participants suggested that for more strategic plans, an advisory or steering group including representatives from the EPA and NPWS be established. This would promote consultation and provide more direct access to these bodies' experience and advice. Others noted that this was already occurring in some cases. Related to this, it was suggested that the NPWS should be more 'hands-on' and 'outward looking' in terms of issuing guidance and providing assistance, as up to now it has focused on formulating and issuing legislation. Some participants suggested that additional Departments/organisations be added to the list of SAs, such as the National Transport Authority. This would expand the environmental knowledge base required to be consulted during the SEA process and would reduce the burden on the original three SAs to identify all issues. It was also suggested that an independent national body be commissioned to carry out all future SEAs, as this would strengthen the recommendations made and ensure that SEAs are carried out in an independent manner.

5   Key Findings of the Online Questionnaire

As part of the Review process an online questionnaire was compiled by RPS in conjunction with the EPA, the Steering Group and inputs from a review of a similar questionnaire prepared by the Scottish Environment Protection Agency (SEPA). The questionnaire aimed to elicit the opinion of SEA practitioners, plan-makers and stakeholders regarding the effectiveness and efficiency of SEA in Ireland, and to identify ways to improve the process.

140 people were invited to fill in the questionnaire, and 95 completed it. The findings of the online questionnaire are summarised below with reference to the four key questions identified in **Chapter 1**. A copy of the detailed report prepared on the online questionnaire is provided in **Appendix B** of the Technical Appendices. A comparison of the findings between the Irish Questionnaire and the SEPA (2011) Review is also provided.

5.1 What Influence is the SEA Process Having in Identifying Significant Effects of Implementing Plans?

- 80% of respondents considered SEA to be a useful tool.

- 90% of respondents indicated that they strongly agreed or agreed with the statement that SEA is an effective use of time and resources.

- 73% indicated that they strongly agreed or agreed that SEA increases the transparency in the decision-making process.

- 83% indicated that the SEA process had improved their awareness of sustainability generally or increased their awareness of wider environmental issues. SEA was felt to widen planners' view of the environment.

- 66% indicated that the findings of SEA influenced decision-making at the project/EIA level, noting that they 'set a framework, pointing out more suitable areas for projects' and 'identify/highlight issues'.

- 63% indicated that plans have improved as a result of the SEA process. Respondents noted that in some cases the influence of SEA on decision-making was under-reported and that the lack of a formal requirement for review of SEA Statements by SAs may be a missed opportunity to capture this. In addition, where a plan would have major environmental benefits in its own right, it can be difficult to demonstrate whether improvements arise from the SEA practitioners or the plan-makers themselves. Similarly in Scotland, where a similar type of questionnaire was issued, 63% of SEA practitioners strongly agreed or agreed that SEA results in improvements to plans. However the figure dropped to 48% for plan-makers and only 29% for stakeholders.

Respondents were asked to suggest ways to ensure that the SEA is accessible/useful for decision-makers/elected members. Their key recommendations were:

- Show decision-makers that SEA is a tool to inform decision-making and not an obstacle to development.

- Ensure that decision-makers are aware of the legal requirements of SEA, the positive outcomes of the process, and the implications of trying to circumvent the process.

- Begin the SEA process early in the plan-making process and involve decision-makers at key stages of the SEA process. Make presentations to decision-makers early on and at key stages to ensure they engage in the SEA process.

- Make SEA less resource-intensive and focus on key issues early in the process.

- Use less technical terminology, and provide a short summary of the main SEA findings in the NTS.

- Ensure that assessments are carried out by qualified and experienced practitioners and scientists, and that they are evidence-based so that decisions can be defended.

- Provide adequate time to compile and assess the required data.

- Clearly demonstrate how the SEA process has influenced the plan, including through integration of the documentation to ensure that the SEA outputs are read and considered by decision-makers and are seen as fundamental components of the plan.

- Ensure that the public and other stakeholders are involved in the process.

5.2 Is the SEA Process Informing and Supporting Effective Integration?

Part 2 of the Questionnaire aimed to elicit specific information on: the SEA process generally, scoping of the SEA, gathering of baseline data, generation of alternatives, environmental monitoring, the consultation process, and the time and cost associated with the SEA process.

General

- 12% of respondents indicated that SEA commenced before the plan, 23% indicated that the drafting of the plan had usually just commenced when the SEA started and 26% that the plan is usually well under way before the SEA commences.

- 53% of respondents indicated that SEA and the plan-making process were somewhat integrated, 31% that they were closely integrated, 11% that it varied from plan to plan, and 5% that they were not integrated at all.

- 83% of respondents indicated that the level of detail of assessment should be tailored to the level of detail included in the plan.

- 76% of the respondents indicated that Appropriate Assessment Screening is routinely carried out as part of the SEA process.

Scoping

- 75% of respondents indicated that it is important to scope out SEA topics early in the SEA process, while 25% indicated that it is not important. Respondents noted that, in order to scope out issues efficiently, adequate baseline information is needed and the proposed objectives of the plan must be known, otherwise the full scope of the likely significant effects may not be apparent, resulting in issues being inappropriately scoped out. Other respondents commented that scoping issues out should only take place following consultation.

- 70% of respondents were in favour of producing an outline paper/report at the scoping stage, while 25% indicated that a detailed report should be prepared and 5% indicated that a scoping notification should suffice.

Baseline

- 77% of respondents indicated that baseline information should be gathered at the scoping stage.

- The most common difficulties encountered in compiling baseline information included a lack of a centralised, consistent/compatible and up=to-date database and a lack of training and resources.

Alternatives

- 86% of respondents indicated that alternatives should be developed by the plan team and the SEA team in tandem.

- 55% of respondents indicated that alternatives should be developed during the drafting of the plan, while 41% considered that they should be developed before drafting of the plan commences.

- Respondents suggested that alternatives tend to be developed retrospectively; that there is a lack of experience in generating feasible/credible alternatives, and therefore unrealistic alternatives are often put forward; that political requirements and directions limit the scope for developing alternatives; and that a lack of cooperation between the SEA team and the plan team can lead to unrealistic alternatives being proposed.

Monitoring

- 60% of respondents indicated that monitoring is not being integrated into plans, while 40% indicated that it is.

- 82% of respondents indicated that they have never gathered or reported on data as required under an SEA Environmental Monitoring Programme.

Stakeholder Engagement

- 78% of respondents indicated that consultation outside statutory authorities should commence at the scoping stage.

- The most effective forms of stakeholder engagement were felt to be: public meetings and workshops; advertisements and contact with key stakeholders; media, web and electronic displays of information; focus groups of interested parties; and a clear Non-Technical Summary.

5.3 What Opportunities Exist to Improve the Process?

Part 4 of the Questionnaire focused on identifying whether improvements to guidance, training, data sources and integration were required. The following suggestions were put forward by the respondents:

* Those in bold type and italics are similar to the findings of the Scottish review: see Chapter 7.

- Provide SEA training, including best practice;

- ***Stronger regulation on the quality of Environmental Reports;***

- ***Provide guidance, particularly in relation to cumulative effects assessment*** and transboundary consultation;

- Expand EPA resources so that it can engage more with plans;

- ***Establish a national SEA Technical Forum (including NI representation) with associated Regional Fora;***

- ***Ensure consistency in responses from the SAs on how to address similar issues raised or for example on methodologies for assessing effects;***

- Carry out workshops between the SEA team and SAs during the scoping and assessment of alternatives stages, and regional workshops between SEA practitioners to facilitate a coordinated approach of SEAs from within a given region or local authority area;

- Increase the use of ecology experts, and direct inputs and involvement from the NPWS;

- Streamline the screening process with a checklist and map base;

- Integrate the AA and SEA processes and consult on both at the same time and with same SAs;

- Each region should have one SEA coordinator so that relationships can be built up between regional and local planning authorities;

- Increase the SAs' regulatory powers to ensure SEA Statements and monitoring are being undertaken;

- Strengthen the legislative requirements for monitoring of plans every two years or so, and ensure integration of the SEA monitoring programme into the plan;

- Commence stakeholder consultation and participation at the outset;

- Ensure that all public authorities whose programmes are subject to SEA are included in SEA guidance circulation lists;

- Develop a central repository/SEA Portal where baseline information, monitoring results and all completed SEAs are stored and made publicly available. This should include a GIS baseline database with relevant national and local datasets. Basic datasets required for SEA are often not available in Ireland;

- Consider dropping the requirement under the Language Act for translation due to time and costs; and,

- Screening for small towns sub-threshold should be a two-page document.

5.4 How Effective is SEA Governance?

Part 3 of the Questionnaire elicited opinions on the effectiveness of SEA governance:

- 76% of respondents indicated that the SAs for SEA in Ireland are appropriate for the process.

- 68% indicated that the role of SAs for SEA should be expanded to a regulatory one, with legislative backing to accept/reject SEAs based on content, quality and other criteria.

- 77% indicated that roles of the SAs for SEA should be expanded to include follow-up/checking of SEA/AA mitigation, and monitoring of implementation.

- 82% indicated that guidance from the SAs for SEA should be amalgamated.

6 Key Findings of the Case Studies and Interviews

6.1 Introduction

The Case Study and Interview element comprised a key component of this Review. For the Case Study and Interview element, a broad scope/cross-section of 20 plans and their respective SEAs were reviewed by RPS. The plans were selected to include:

- A series of plans that link up in the hierarchy of plans;

- Plans from various sectors, i.e. wind, flood management, waste, water, etc;

- Cross-border plans (Ireland and Northern Ireland);

- Local, County and Regional Authority plans;

- National plans;

- Plans prepared by semi-state bodies; and,

- Plans that have gone through the full SEA process.

In parallel to this Review, the Western Regional Authority undertook a separate review of six of the recently published Regional Planning Guidelines in Ireland. The RPG review adopted a similar methodology to this review to ensure consistency and allow for comparative analysis of the survey findings. The findings of the RPG review are incorporated into the RPS review and analysis. **Table 6.1** lists the plans that were reviewed.[4]

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4 While the RPS review and the RPG reviews were carried out using the same template, the reviews were undertaken by different personnel and therefore there may be some discrepancy in the overall findings.

Table 6.1: List of Plans Reviewed

Documents Reviewed by RPS
1. National Hazardous Waste Management Plan
2. Irish Offshore Strategic Environmental Assessment 4
3. Offshore Renewable Energy
4. EirGrid Grid25 Implementation Programme (IP)
5. Co. Clare Wind Strategy
6. Transport Plan 2030 Vision
7. Water Supply Project Dublin
8. Lee Catchment Flood Risk Assessment
9. Killarney Development Plan
10. Ulster Canal Restoration Statement
11. Loughs Agency Aquaculture & Shellfisheries Management Strategy
12. Grangegorman Strategic Plan
13. Fingal Development Plan
14. Dublin City Development Plan
15. Shannon International RBD RBMP
16. FWPM Cloon (Shannon Estuary) Sub-Basin Management Plan
17. West Shannon Pollution Reduction Programmes
18. Limerick County Development Plan 2010–2016
19. Limerick City Development Plan 2010–2016
20. Mid-West Regional Planning Guidelines

Documents Reviewed by the Western Regional Authority:

Documents Reviewed by RPS
21. Border Regional Planning Guidelines
22. Midlands Regional Planning Guidelines
23. West Regional Planning Guidelines
24. Greater Dublin Regional Planning Guidelines
25. South-East Regional Planning Guidelines
26. South West Regional Planning Guidelines

A copy of the detailed Report prepared on the case studies is provided in **Appendix C** of the Technical Appendices. A comparison of the findings between the Irish review and similar studies in the UK, Scotland and Europe is provided in **Section 7.2**.

6.2 Methodology

The Review used an SEA Review Methodology developed by RPS in consultation with the EPA and the Steering Group. This brought together the methodologies of the EPA SEA checklist, Scottish SEA Review (Scottish Environmental Protection Agency et al., 2011) and English SEA effectiveness study (CLG, 2010). The main tasks undertaken were:

1. Review and analysis of integration of the SEAs with respect to Plans and Programmes and SEA governance arrangements. The study reviewed and analysed how the findings and outcomes of SEA documents (Scoping Reports, Environmental Reports and SEA Statements) were integrated into the adopted plans. It also examined how various SEA stages were undertaken, including the role of the SAs in influencing and informing the SEA process.

2. Interview of 20 SEA practitioners and plan-makers; and,

3. SWOT Analysis including Key Recommendations/Actions.

Based on this information, an overall rating was assigned for each case study, to identify particularly good and problematic practice. **Table 6.2** shows the Rating System used and **Table 6.3** summarises the findings of the case studies.

Table 6.2: Rating System

Rating	Explanation
Best Practice	Represents best practice in current SEA methodology.
	Approaching best practice in current SEA methodology, though minor changes could bring it up to best practice standards.
	Good but requires moderate changes in some areas to achieve best practice standards.
	Meets basic requirements but goes no further.
Room for Improvement	Certain issues identified could be improved.
	To be determined, as process was not complete at the time of the study.

Table 6.3: Summary Findings of the Case Study Review

best practice ⟵——————————————— room for improvement   NA

	1. Screening	2. Scoping	3. Consultation	4. Plan Description	5. Existing Environment	6. Objectives, Targets, Indicators	7. Alternatives	8. Likely Significant Effects	9. Mitigation	10. ER and Non-Technical Summary	11. Amendment	12. SEA Statement	13. Monitoring	14. Post-Adoption	15. Appropriate Assessment
Killarney TDP															
Dublin City DP															
Fingal DP															
Grangegorman SP															
National Haz Waste Mgmt Plan															
Ulster Canal Restoration Plan															
Aquaculture & Shellfish Mgmt Strategy															
IOSEA4															
Transport Plan 2030 Vision															
Water Supply Project															
Shannon IRBD															
West Shannon PRP															
Offshore Renewable Energy															
Clare WES															
Lee CFRAMS															
FWPM Cloon Plan															
Limerick County Dev Plan															
Limerick City Plan															
EirGrid Grid25 IP															
Midwest RPG															
Border RPG															
Midlands RPG															
West RPG															
Greater Dublin RPG															
South-East RPG															
South West RPG															

There may have been activities/information on the SEA process that are not readily evident through examination of the SEA documentation only. Therefore, follow-up interviews with a key participant from each plan-making/SEA process were also carried out. This allowed participants in the process to provide additional information they consider relevant to the review as well as comment generally on their SEA experience.

In addition, five interviews were undertaken with key stakeholders to discuss their experience of SEA generally: Peter Carvill (DECLG), Paul Byrne (Regional Authority), Ainhoa Gonzalez (Trinity College Dublin), Gabrielle McKeown (DECLG) and Cian O'Mahony (EPA).

6.3 Key Findings

The Case Studies suggest that screening, plan description and existing environment description are generally being undertaken quite well. A number of best practice examples have been identified as part of this Review (see Table 6.3). The Review also identified aspects of the SEA process that require improvement, including:

1. SEA Objectives, Targets and Indicators

In most cases SEA objectives were well thought out and were linked to targets and indicators. However, these targets and indicators were not always quantifiable or indeed measurable. In many cases, specific limits, thresholds and timeframes were not set: this could be improved. In other cases there is an absence of a standard set of objectives, indicators and targets that can be linked from plans at the top of the planning hierarchy to the lower level plans.

2. Alternatives

The selection of alternatives and the depth of analysis of alternatives varied significantly. Interviewees suggested that project-oriented plans were easier to assess in terms of alternatives. In some cases, notably land use plans, alternatives were pre-determined and/or limited.

3. Monitoring

In many cases monitoring programmes were well related to significant effects and mitigation measures; they referred to existing data sources and the competent authority responsible for carrying out the monitoring. These are all aspects of good practice. However, monitoring proposals typically did not indicate the frequency of reporting or who should carry out corrective action for unforeseen effects. Thresholds/trigger levels and timescales were not always provided in relation to targets.

Overall, the main issue in relation to monitoring seems to be that it is not being undertaken for SEA. Monitoring is taking place under national and local monitoring programmes (i.e., by the EPA and local authorities) but it is not being collated and reviewed with reference to specific plans under SEA. Some of the Case Studies reviewed are relatively new and therefore monitoring has not yet commenced, but monitoring had also not yet started for several older plans, primarily due to lack of funding and lack of resources. Consequently, unforeseen effects are not being identified and corrective action is not taking place.

4. Amendment Stage

The amendment stage (particularly for land use planning) was typically not documented in a transparent manner, and often seemed to be an afterthought of the SEA Statement. When no material amendments were made, this was typically not documented, so it was unclear whether further amendments needed to be screened for SEA and AA. When material amendments were made to the adopted plan, these were often not screened for SEA and AA, and a further round of consultation on these changes did not take place. The Planning and Development (Amendment) Act 2010 does make provision for a further round of consultation with respect to material amendments to land use plans, so this should improve in the future.

5. SEA Statement

In general, SEA Statements were considered to be of a good standard and provided a transparent account of how the plan was developed and the role that consultation and SEA played in the development of the plan. In most cases, the SEA Statement included specific reference to the changes that were made to the plan in response to the draft plan consultation stage. However, often the amendment stage was not well documented within the SEA Statement.

Some of the SEA Statements for the RPGs were particularly short and could have benefited from further detail on the number of responses received during consultation, details of submitters and how their recommendations resulted in changes to the plan. They also did not contain detail on monitoring and the reasons for choosing the RPGs in light of other reasonable alternatives.

7   Key Findings of the Literature Review

A literature review was conducted to provide context to the Review. Since the implementation of the SEA Directive in 2004, several EU Member States and the European Commission itself have carried out SEA effectiveness studies. These cover technical issues, process guidance and more recently reviews of best practice and effectiveness. These allow for a comparison against the findings of this review. It is clear that similar challenges are faced in all jurisdictions, and that there are opportunities for improvement through exchange of information and good practice. A copy of the Literature Review is provided in **Appendix D** of the Technical Appendices.

7.1 Main Strengths and Weaknesses of SEA in Other Countries

Table 7.1 summarises the key SEA strengths, weaknesses, opportunities and threats (SWOT) identified in each of the key documents reviewed. Table 7.1 shows that SEA generally results in environmental considerations being incorporated into plans. Weaknesses of SEA cover all aspects of the process from legislation and governance through to documentation, availability of guidance, awareness and acceptance by plan-makers. Opportunities exist for Member States to learn from experiences of others, establish better baseline data sources, better integrate different types of assessment, and improve the integration of SEA findings in plan-making. Threats include the marginalisation and continued lack of integration of SEA in plan-making, and SEAs becoming a 'tick-box' exercise.

7.2 What Influence is the SEA Process Having in Identifying Significant Effects of Implementing Plans?

- Similarly to the Irish questionnaire, the Scottish (2011) Review found that respondents strongly agreed or agreed that SEA is a useful tool and that it increases the transparency of the planning process.

- 82% of Irish respondents indicated that SEA allows planners to view the wider environmental picture; this was lower in Scotland.

- 66% of Irish respondents and a similar figure in Scotland indicated that the findings of SEA influenced decision-making at the project/EIA level.

- 63% of Irish respondents indicated that plans have improved as a result of SEA. However, they noted that the influence of SEA can be under-reported if transparent documentation of how SEA has informed the development of the plan is not provided. In Scotland, 63% of practitioners strongly agreed or agreed that SEA improves plans. The Scottish review recommends a strengthening of the SEA follow-up process. The English study noted that only minor modifications to plans in England were made as a result of SEA, rather than significant changes. In contrast, the European Commission study noted that plans are being modified and in certain cases there are radical changes to the plans and the iterative improvement process of plans is being driven by SEA.

■ The Scottish review noted that around 43% of proposed mitigation measures resulted in either changes to the plan wording or an option being eliminated, and that 57% of mitigation measures were delivered in other ways than changing the plan – e.g. through actions to be put in place as the plan is implemented or through further detailed assessment at a lower tier in the plan hierarchy.

Table 7.1: SWOT Analysis of SEA Systems in Other Countries

Key Strengths	Key Weaknesses	Key Opportunities	Key Threats
Ireland: Preliminary Study on SEA Effectiveness in Ireland (2010)			
■ Environmental considerations have been incorporated into plans.	■ Not clear in plans how SEA has influenced their outcome. ■ Procedural shortcomings can hinder the SEA process. ■ Lack of legislation/ guidelines, especially for alternatives and cumulative effects assessment. ■ SEA is very subjective and relies on individual judgements.	■ To ensure that the SEA process continues to influence plans rather than reacting to them. ■ Provides a baseline against which improvements in SEA effectiveness can be benchmarked.	■ Future SEAs may not respond to lessons learned from previous SEAs. ■ SEA continues to react to plans rather than influencing them. ■ SEA is not integrated into plan-making.
Europe: Study concerning the report on the application and effectiveness of the SEA Directive (2009) EC			
■ SEA contributes to a structured consideration of environmental concerns in plan-making. ■ SEA provides structure to existing planning procedures. ■ SEA contributes to transparency in decision-making.	■ Lack of SEA experience. ■ Procedural shortcomings which hinder the SEA process. ■ No standard approach to SEA across the Member States. ■ Inadequate/ Inconsistent guidance across Member States.	■ Establishment of a working group to investigate further amendments to the SEA Directive.	■ Inconsistencies in the application of the Directive across Member States.

Key Strengths	Key Weaknesses	Key Opportunities	Key Threats
England: Towards a more efficient and effective use of SEA and Sustainability Appraisal in spatial planning (2010)			
■ Enhanced transparency of plan-making process.	■ SEA only results in minor plan modifications rather than significant changes. ■ Alternatives generation is limited. ■ SEA and plan-making processes are not integrated. ■ SEA mitigation measures not considered to be mandatory.	■ Establish a database of objectives of plans, policies and programmes. ■ Make available key messages from research on SEA. ■ Link SEA to environmental limits.	■ Continued issuance of long, unfocused reports. ■ SEA considered a tick-box system.
Scotland: Scottish Strategic Environmental Assessment Review (2011)			
■ SEA provides a framework for integrating different environmental assessments, and for testing how plans contribute to national environmental objectives. ■ SEA is embedded in the corporate culture and has increasing influence on plan-making in some authorities. ■ Practitioners are developing innovative ways to undertake SEA. ■ Stakeholders have opportunities to get involved. ■ There is a comprehensive range of SEA guidance that is well regarded and used. ■ High performance of the statutory consultation authorities. ■ Broadened scope of SEA as applied under the Scottish legislation.	■ Lack of clarity as to what SEA 'effectiveness' is. ■ Lack of understanding of SEA among decision-makers, and lack of integration of SEA in plan-making. ■ Lack of application of SEA across all sectors. ■ Scoping needs to be more focused on significant issues. ■ Lack of early consultation with stakeholders which leads to lack of information on key issues. ■ Poor identification and implementation of mitigation and enhancement measures. ■ Lack of consideration of climate change effects.	■ Better integration between plan-making and SEA processes ■ Focused identification of factors that enhance the effectiveness of SEA. ■ Scope for innovation. ■ More transparent and engaging SEA documents. ■ Process improvements that taken together could significantly enhance efficiency. ■ Identifying and resolving potential issues through greater dialogue and a problem-solving approach to assessment. ■ Bringing SEA into the heart of cooperative decision making.	■ SEA could be marginalised as part of pubic body cuts. ■ Lack of understanding and buy-in from senior decision makers.

The Irish Case Study Review showed that in most cases the likely significant effects of plans were comprehensively described, although cumulative and synergistic effects and interactions of significant effects were often not described. It found that SEAs typically recommended mitigation measures linked to significant effects. These measures were often in the form of changes to the wording of the plan or inclusion of new policies within the plan. In some cases, if certain proposals could not be mitigated, they were eliminated from the plan, which is considered to be best practice. Mitigation measures identified as a result of the SEA were implemented into the plan in most cases, but it was not always easy to identify which mitigation measures were directly linked to the SEA.

7.3 Is the SEA Process Informing and Supporting Effective Integration?

This review found that the more integration that takes place from the beginning of the process, the more integrated environmental principles are in the plan: the Scottish Environment Protection Agency agreed with this observation. This review found that the SEA process in Ireland provides an arena for departments to jointly discuss issues, share information, and provide SEA training. It found that, for land use plans, more buy-in is needed from all parties involved – planners, environmentalists, Council departments, executive and management – to ensure effective integration of SEA in plan-making. The Scottish Review also noted that this area needs significant improvement, as lack of buy-in from senior managers and decision-makers is acting as a barrier to SEA effectiveness.

The Irish interviews suggested that how well the plan-maker liaises with the SEA consultants can influence how well SEA is undertaken. Personality clashes were also thought to influence integration. There was mixed opinion on whether SEAs outsourced or undertaken in-house perform better. The Scottish review found that the standards of SEAs that were carried out in-house or outsourced were quite similar, while the EPA Review of 2010 found that outsourced SEAs performed better.

7.4 What Opportunities Exist to Improve the Process?

Screening and Appropriate Assessment

This review suggests that there should be statutory measures to facilitate integration between the SEA and the plan team, and the SEA team and AA team. In contrast, the English and Scottish reviews indicated that the AA process and the SEA process should be treated separately during decision-making.

Scoping

From a review of the various studies undertaken by other countries (e.g., Scotland, UK) as part of this study (as outlined in **Table 7.1** above and **Appendix D**), overall it was found that there is wide discretion with regard to scoping, hence different methods are used in organising the scoping phase including different methods of consultation (workshops, letters, meetings, etc.) and different forms of scoping reports (reports, papers, notifications) are produced. The Case Study review showed that few Irish authorities prepare and publish a final Scoping Report or update the Environmental Report to show clearly how environmental considerations identified during scoping were addressed. In terms of times and resources, it was considered that summarising the scoping process in the Environmental Report was considered to be more efficient.

The Scottish review also noted that a final Scoping Report is rarely produced in Scotland, with the preferred approach being to summarise the scoping process in the Environmental Report. Scottish practitioners are concerned about the resource implications of preparing 'updated' versions when they are not a requirement. The European Commission review noted that Member States have wide discretion with regard to scoping, hence different methods are used in the scoping process and different scoping reports are produced.

This review and the Scottish and English reviews all note the need to focus more clearly during the scoping stage on key issues of importance. Most respondents to the Irish questionnaire indicated that it is important to scope out SEA topics early in the SEA process. In contrast, Scottish respondents noted that care needs to taken to ensure that adequate baseline information is available and the plan objectives are known in order to identify significant effects, as otherwise the full scope of likely significant effects may not be apparent, resulting in issues being scoped out inappropriately. The Scottish review also noted this concern and suggested keeping topics under review by scoping them in initially but then scoping them out as more information becomes available.

The English review indicated a general concern about not 'scoping out' irrelevant SEA topics during the scoping stage. It concluded that assembling the right baseline information has proved challenging and the information collected should be better targeted at the significant decisions the plan is making.

This review notes that where SEAs were subject to a broad scope of consultation, i.e. Regional Planning Guidelines (RPGs) (including workshops, meetings, public consultation, etc.), the SEA and plan were more robust, and fewer changes were required during the later stages of the process. The Scottish review identified the need for more pro-active engagement of stakeholders during scoping.

In Ireland the majority of respondents indicated that public consultation should commence at the scoping stage, and that consultation responses from the statutory authorities and other parties should be better documented. The Scottish review also recommended that stakeholder involvement at the scoping stage should be widened. Consultation responses must already be documented for some Scottish plans, e.g. spatial development plans.

Plan Description and Review of Other Plans

This review found that the plan is generally described in detail and environmental protection objectives are effectively established. However, in some cases it is difficult to address cumulative effects associated with other plans due to a lack of up-to-date information on the status of plans in adjoining and/or influential areas.

The Scottish review found that many Environmental Reports failed to identify the most significant plans and their potential effects: the identification of these other plans was considered straightforward but analysis of their influence on the plan subject to the SEA was more challenging. Both studies concluded that a regularly updated Web-based database of all plans and SEAs should be set up. This would enable cumulative effects from other plans and programmes to be addressed effectively, and would assist in establishing relevant environmental protection objectives for a specific plan.

Existing Environment

This review found the collection of baseline data to be particularly useful with regard to the locations of designated sites, such as SACs and SPAs. The Scottish review found large variations in the coverage of different topics such as biodiversity and cultural heritage, due in part to what data are available and how easy/difficult practitioners found the topics to consider effects on. The Irish studies (2010 and 2011) also noted a variation in the baseline data depending on the topic. All of the studies noted that sometimes the description of the existing environment can be too long, with over-collection of data and lack of focus on key issues. They noted the time and costs it involves to gather relevant baseline data, and recommended the need for the formation of a centralised database for all baseline data.

The Case Study review suggests that SEAs that use GIS, and particularly constraints mapping, provide a much better understanding of the existing environment and improve the assessment process. The EPA also encourages the use of GIS and the Scottish review drew similar conclusions.

In some cases it was considered that there are problems in identifying the right scale of data for the baseline description, and as a direct consequence the right level of detail in the assessment process is not always applied.

In the Online Questionnaire, Irish respondents were asked what difficulties they most commonly encountered in compiling the baseline. These included:

- Lack of **centralised, relevant, up-to-date and easily accessible database**;
- Lack of digital/GIS datasets;
- **Lack of local-level data**, with often only regional level data being available;
- **Lack of consistency** between bodies/agencies in measuring parameters;
- Too much detail required; i.e. should be strategic and not to an EIA level of detail;
- **Lack of time to gather information**;
- **Cost and lack of qualified staff**; and,
- **Lack of data on protected species and habitats**.

Those items shown in bold italics above are similar to the findings of the Scottish review. The only additional baseline data issue that the Scottish review encountered was a lack of trend data, particularly in relation to biodiversity.

Alternatives

All of the studies identified that SEA has resulted in the consideration of some alternatives that would otherwise not have been considered. However, they also all noted that lack of details of options and difficulties in developing reasonable alternatives can hamper the process.

The legislation does not provide a definition of what is considered a 'reasonable alternative' or specify how many alternatives must be assessed. The choice of reasonable alternatives is determined on a case-by-case basis, resulting in a mixed/ad hoc approach. In some cases reasonable alternatives are not put forward and in other cases reasonable and sustainable alternatives are put forward. While changes to the legislation is not recommended, as this might constrain the types of alternatives considered, it is acknowledged that there is clearly a need for guidance to ensure that reasonable alternatives are identified and considered robustly and with greater flexibility depending on the plan type.

As in Ireland, in Scotland alternatives are mostly generated by the plan-makers and then assessed by the SEA team. Respondents in both countries agree that there is more scope for SEA to generate alternatives that the plan-makers may not have considered. All studies noted that guidance is required on how alternatives should be selected, and that opportunities to develop new alternatives through SEA should be investigated.

Likely Significant Effects of the Plan and Mitigation

Like this review, the Scottish review noted that assessment of cumulative and other types of effects is a challenge, and that there is often a poor alignment between the baseline information supplied and the scope of assessment. Guidance on cumulative impact assessment was the number one request for guidance in Scotland. The English review noted that present evaluation of effects rests on professional judgement but should be more clearly linked to the baseline information. All studies noted that guidance is required on how to accurately address all of the 'types of effects', including short, medium, long, temporary, cumulative, permanent, synergistic, etc.

Consultation on Draft Plan and Environmental Report

This review notes that, in Ireland, a good level of stakeholder involvement is generally experienced throughout the process, although transboundary consultation is generally poor. However, the other reviews suggested that stakeholder engagement in Scotland and England is poor, noting difficulties in contacting and engaging with the public, and time/cost implications. The English review noted that techniques such as workshops and focus groups provide tangible outcomes but should be part of a holistic participation strategy.

Environmental Report and Non-Technical Summary

All the studies stressed the importance of the Non-Technical Summary, and the English review identified the need for clear summaries as one of the 13 recommendations. The Scottish review found that opportunities exist to improve the quality of Environmental Reports and recommended a periodic audit of quality rather than new duties on the statutory authorities. The Scottish review found that maps improved understanding of key constraints and the spatial area of the plan.

This review and the Scottish review both found that documentation of the amendment stage is generally not very transparent and often seems to be an afterthought. The Scottish review noted that the actual influence of SEA in terms of what has changed and why is poorly documented.

SEA Statement

Both this review and the Scottish review suggest that competent authorities should begin preparing their post-adoption statements (Draft SEA Statements) as soon as the consultation period on the Environmental Report comes to an end. This allows for early thinking on how to address the issues emerging from the consultation phase, ensures full documentation, and allows a revised Environmental Report to be easily prepared if necessary.

The Case Study Review, workshop and online questionnaire all noted that the descriptions of how environmental considerations were taken into account and the key changes to the plan were not transparent in all the SEA Statements. Transparency in the decision-making process was identified as an issue that requires addressing through guidance or training. This was also noted in the European Commission study.

SEA Monitoring

Similarly to this review, the English review noted the need for greater integration between Annual Monitoring Reports and SEA, and the need for research on environmental limits to help ensure that critical environmental effects are taken into account.

The European Commission study commented on the lack of national guidance on monitoring, particularly on monitoring indicators. This review also identified the need for more guidance on how to develop a monitoring programme to include thresholds/limits for intervention, realistic goals for monitoring, responsibilities, timeframes, etc. The case study review also demonstrated the need for national monitoring standards to be developed for land use plans. The Scottish review suggested that it is too early to comment on the effectiveness of monitoring regimes, and that it is difficult to know what to monitor, particularly when the SEA judges there to be no significant environmental effects after mitigation.

7.5 How Effective is SEA Governance?

The Case Study Review and associated Interviews found that the SEA process could be refined, as some of the detailed requirements were considered to be excessive. Parts of the process were considered repetitive, and a 'tick-box' approach was used in many areas (for example, review of plans and policies; development of objectives, indicators and targets; baseline data; and monitoring). The other studies drew similar conclusions, and the Scottish Environment Protection Agency noted that this EPA Review should include a recommendation to remedy this issue.

This Irish Review and the Scottish Review both indicated that there is a lack of sanctions imposed if SEA is not carried out effectively. SEPA is evaluating whether a more robust enforcement role is required, particularly after plan adoption. Rather than increasing the enforcement role of the EPA, this review suggests that an independent body could review SEAs, decide whether they are acceptable or not, and review whether significant effects are really being identified and mitigated. SEPA also recommended a periodic audit of Environmental Report quality.

This review suggests that SEA in Ireland is largely fulfilling the legislative requirements of the SEA Directive, with the exception of two or three sectors. There were mixed views on making any additional changes to the Directive. The European Commission review found that most Member States expressed no urgent need for changes to the Directive, as more experience in applying the Directive is first needed. Numerous Member States expressed the need for stability in the legislation to allow SEA systems and processes to settle. A second European Commission report of 2009[5] found that the application and effectiveness of the SEA Directive varies in accordance with the governance approaches within the Member States. It also concluded that it would be premature to amend the SEA Directive.

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5 Commission of European Communities (2009) Report from the Commission to the Council, The European Parliament, The European Economic and Social Committee and the Committee of the Regions, On the application and effectiveness of the Directive on Strategic Environmental Assessment (Directive 2001/42/EC).

8   Effectiveness of SEA in Ireland

This chapter reaches conclusions on strengths and weaknesses of SEA in Ireland, based on the workshop, online questionnaire, case studies and interviews, and literature review. It begins with general findings, then presents a table of strengths and weaknesses, and concludes by examining the main questions identified in **Chapter 1**. **Chapter 9** sets out recommendations and key actions to deal with areas of SEA weakness.

8.1 General Findings of the Study

The quality of the SEA inputs in Ireland varies from quite good (e.g. screening, scoping) to quite bad (e.g., monitoring), as shown at **Figure 8.1**.

Figure 8.1: Overview of Effectiveness of SEA Inputs and Outcomes in Ireland
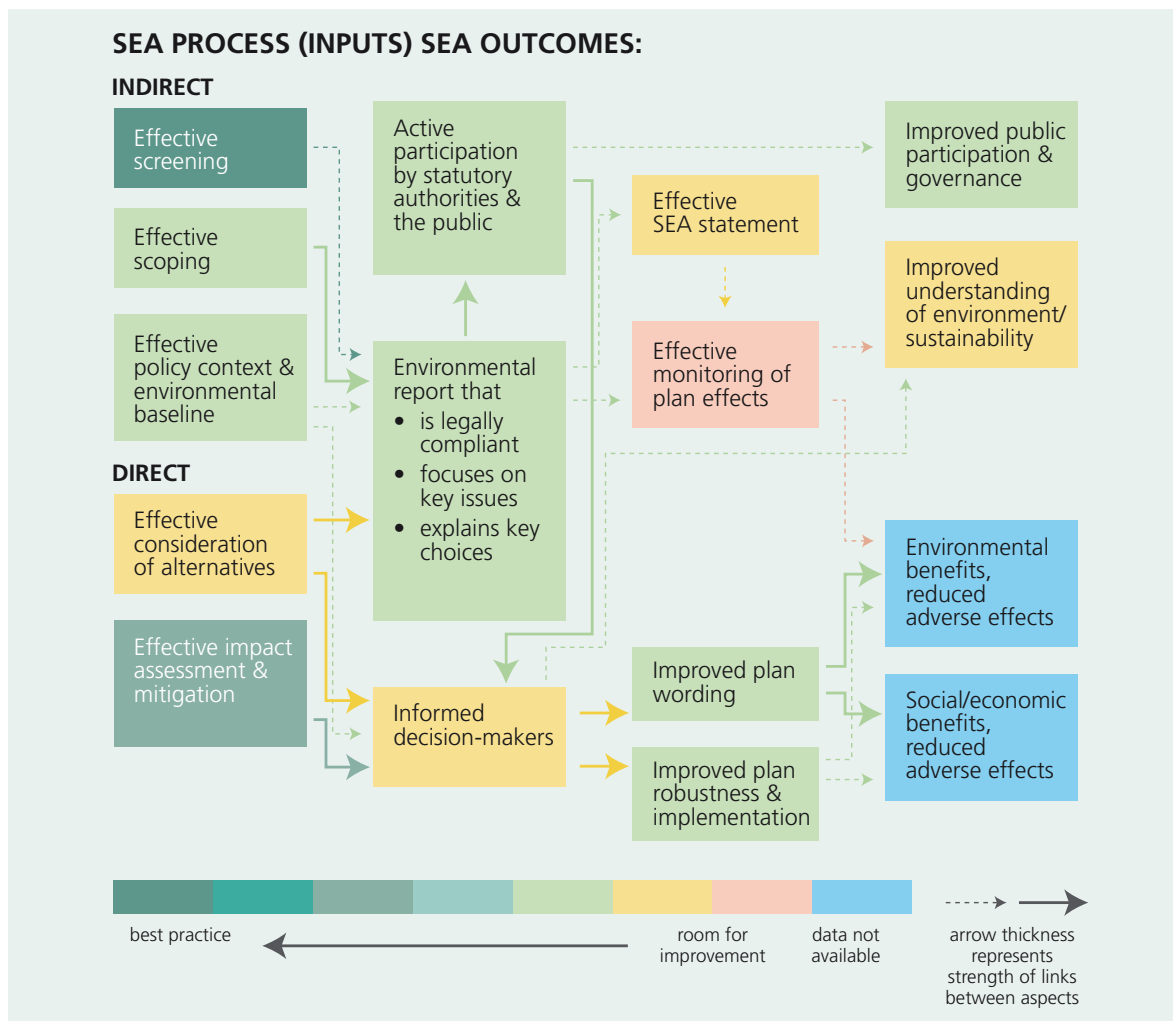
N.B. This figure takes into account findings from interviews and questionnaires as well as the case studies, hence for some aspects it is slightly different to the findings of Table 6.3 on case studies above.

Understanding of the quality of SEA *outcomes* is hampered by lack of buy-in from decision-makers and poor monitoring. More specifically:

Inputs

1.   Generally, relevant plans and programmes in Ireland are subject to SEA. However, some types of plans that fall outside the Planning and Development Act (e.g. forestry, tourism) are not.

2.   Scoping is better at identifying what should be addressed in an SEA than at justifying what can be excluded.

3.   The statutory authorities often provide very helpful input (in particular the EPA), but the level of input varies widely between statutory authorities and is resource-dependent. Public involvement in SEA tends to be limited.

4–6.   The description of the plan, policy context, and environmental baseline is generally done well.

7.   The extent and quality of how alternatives are developed and considered is limited: planners often consider that there are no reasonable options for their plan, and that consultants' alternatives are not 'reasonable'.

8–9.   Impact assessment and associated mitigation is generally done well, although the assessment of cumulative effects, interrelationship of effects and transboundary effects requires improvement.

10.   The quality of many Environmental Reports is high, but the focus is often not on the key issues and an explanation and justification is not always provided clearly setting out why certain choices have been made and how mitigation measures have been incorporated into the plan.

11.   The impact of amendments to plans and programmes is typically poorly considered.

12.   Post-plan adoption 'SEA Statements' are sometimes not prepared even though it is a legal requirement to do so. However, when prepared and made available to review they provide useful documentation on the influence of the SEA process.

13.   Specific SEA-related monitoring of the plan's environmental effects is seldom carried out; however, monitoring is being undertaken in certain cases under national monitoring programmes.

14.   Appropriate assessment (under the Habitats Directive) and SEA could be more effectively integrated/linked.

15.   Many decision-makers remain to be convinced of the benefits of SEA. SEA is often treated as a parallel, though separate, exercise, and not integrated with the plan-making process. However, where SEA is undertaken well and in particular where there is good integration between the plan maker, SEA team and the statutory authorities' the SEA clearly demonstrates a significant influence on the plan preparation process and the level of environmental considerations within a plan, resulting in more environmentally sound plans.

16.   SEA governance is generally good, but could be improved by giving statutory authorities the power not to 'sign off' on plans that have inadequate Environmental Reports. The SEA governance should be also improved to ensure that SEA Statements are being completed.

Outcomes

- Plan-makers suggest that SEA in Ireland is leading to some changes to plan wording, although where plans are already sustainable fewer changes will be made.

- Plan-makers suggest that SEA is making their plans clearer and more robust to challenge.

- Environmental considerations are being considered in greater detail than prior to the implementation of the Directive. SEA also encourages planners to consider other environmental Directives such as the Water Framework and Habitats Directives, resulting in plans that are compliant with environmental policy and legislation. However, it is unclear whether SEAs and associated plan implementation in Ireland are leading to environmental and sustainability improvements and preventing environmental harm, because not enough monitoring is taking place.

- SEA leads to improved public participation and inputs from key stakeholders and interested parties.

8.2 Key Strengths and Weaknesses

Table 8.1 presents an analysis of key strengths and weaknesses of SEA practice in Ireland. The table is based on the workshop, the SWOT analysis of the online questionnaire, and the case study review and interviews. Some of the strengths and weaknesses are not based on evidence but rather are the opinions of participants of the workshop and feedback from the online questionnaire. Evidence-based recommendations are detailed in **Appendix C** of the Technical Appendices from the Case Study Review.

Table 8.1: Key Strengths and Weaknesses of SEA Practice in Ireland

	Key Strengths (Best Practice Examples)	Key Weaknesses
1. Screening	■ Mandatory SEA requirements allow for plans to be easily screened in. ■ Screening sets a standard for plan consultation.	■ Certain plans are wrongly being screened out or not screened at all. ■ Unclear how to screen non-mandatory SEAs.
2. Scoping	■ Early identification of issues through consultation at the scoping stage. ■ Generally meeting SEA legislative requirements. ■ Encourages consultation. ■ Use of websites to display scoping documents. ■ Workshops to generate scoping issues/recommendations.	■ Lack of comprehensive/ongoing scoping can miss the opportunity to make the SEA more focused and streamline the SEA documentation. ■ Resource-intensive. ■ Topics may be screened out before likely significant effects are fully determined. ■ Scoping responses and where these issues have been addressed are often not documented. ■ AA and SEA scoping are not occurring in parallel. ■ Failure to use most recent SA guidance/data/publications.
3. Consultation on Draft Plan and ER	■ SEA provides opportunities for public consultation and engagement that might otherwise not occur. ■ Feedback from SAs generally considered helpful: EPA is lead authority in this respect. ■ NPWS consultation responses often very helpful also. ■ Consultation resulting in changes to the plan.	■ Confusion about SAs' role. ■ DECLG consultation responses not always useful; DECLG may not be fulfilling its transboundary role; poor response from DCENR; Development Applications Unit can be a barrier and/or delay NPWS communication. ■ Public not involved enough at earlier SEA stages. ■ Confusion as to whether scoping letters and copies of the Environmental Report and draft plan must to be sent to all SAs in every instance. ■ Not all SEA practitioners undertake extensive consultation. ■ Failure to document responses and link with key outputs from SEA to subsequent changes to the Plan. ■ Overlap of documentation, i.e. managers' reports, post-consultation reports, etc. ■ Lack of transboundary consultation in certain cases.

	Key Strengths (Best Practice Examples)	**Key Weaknesses**
4. Plan Description & Review of Other Plans Legislation	■ Overall plan descriptions are good. ■ Relevant environmental protection objectives are being identified. ■ Providing a summary of other key plans/programmes and how they will be incorporated into the plan helps provide a consistent planning hierarchy and ensures that protection measures of higher levels plans are implemented through more local/spatially specific plans.	■ Lack of full suite of plans in place (i.e. hierarchy is not yet complete) makes it difficult to put lower level plans in context. ■ Not all relevant plans are readily available.
5. Existing Environment	■ Environmental data collection is occurring. ■ SEA data sometimes leads to significant changes to a plan. ■ Constraint/sensitivity mapping (e.g. GIS) in many SEAs is of a high standard. ■ Gaps in baseline data are highlighted and addressed through implementation of the SEA/plan in some cases. ■ Baseline data collection is particularly useful with regard to the locations of designated sites (e.g. SACs, SPAs) and the fact that their presence is considered during plan-making.	■ Failure to get appropriate baseline data from internal and external sources. ■ SAs use SEA as an excuse to request that new data be collected. ■ Lack of data on non-designated sites (e.g. local biodiversity, undesignated architectural heritage); protected species and habitats; air quality. ■ Lack of a centralised, up-to-date and easily accessible database; data at the required scale; digital/GIS datasets; knowledge on where data is located. ■ Lack of willingness of some departments to provide information ■ Costs/time for obtaining data can be high. ■ Cost and lack of qualified staff. ■ Lack of consistency in measuring parameters by various bodies/agencies. ■ Evolution of the environment in the absence of the plan not addressed for each SEA topic.

	Key Strengths (Best Practice Examples)	Key Weaknesses
6. Objectives, Indicators and Targets	■ SEA Directive topics and existing issues/pressures are being used to identify and structure objectives, indicators and targets. ■ Good linkages between objectives, indicators and targets. ■ Indicators are manageable and linked to existing data sources.	■ Difficulty in identifying reasonable and measurable indicators. ■ Failure to use quantitative indicators. ■ Failure to set limits/thresholds for intervention and timeframes to meet targets. ■ Indicators are often parameters over which plans do not have authority. ■ Poor baseline data collection may result in inadequate objectives, targets and/or indicators being identified.

	Key Strengths (Best Practice Examples)	Key Weaknesses
7. Alternatives	■ While it is acknowledged that the generation of alternatives is challenging, SEA does widen the scope of alternatives considered by the plan-making team compared to alternatives that would be put forward if SEA did not occur. ■ The process of developing alternatives, if taken seriously, allows statutory authorities and other agencies to become involved in the plan-making process at an early stage. ■ Use of consultation (internal/external) and inputs from the scoping stage to develop realistic alternatives.	■ Generation of reasonable alternatives is one of the biggest challenges in SEA. ■ The development of alternatives tends to be retrospective in nature and there is often a lack of experience in generating feasible/ credible alternatives, and therefore unrealistic alternatives are often put forward; political requirements and directions limit the scope for developing alternatives. ■ Linking lower level plans with those at the higher level can constrain the alternatives available for consideration; particularly if the higher level plans have not yet been subject to SEA, e.g. National Development Plan. Consideration of alternatives can be particularly limited for land use plans. ■ Alternatives for higher level plans may be theoretical and academic due to the level of detail available. ■ The 'do-nothing' alternative is not always reasonable. ■ Some alternatives being considered are purposely unrealistic and are put forward only to satisfy the requirements of the SEA Directive. ■ Political requirements and directions limit the scope for developing alternatives. ■ Lack of cooperation between the SEA team and the plan team in generating alternatives. ■ Failure to address alternatives in the AA in parallel with the SEA.

	Key Strengths (Best Practice Examples)	Key Weaknesses
8. Likely Significant Effects	■ SEA provides a formal process for considering cumulative and indirect effects at both strategic and project levels. ■ Constraints mapping/GIS is useful for assessing significant effects. ■ Environmental objectives are used to assess plan policies and objectives to assist in identifying significant effects. ■ Use of an outside consultant during the SEA process can help keep the assessment unbiased and can convince decision makers of the importance of certain issues when internal staff cannot.	■ Variation in level of assessment of different topics due to varied expertise in the SEA team as well as whether guidance exists on a particular topic. ■ Failure to address all SEA Directive categories of effects (short, medium, long, direct, indirect, permanent, temporary, synergistic, positive, negative, cumulative, etc.) in some cases. Cumulative effects are typically poorly assessed. ■ Difficult to identify and fully detail interrelationships between topics, e.g. flood risk and zoning, biodiversity and water. ■ Potential for the identification of environmental effects to be diluted by social and economic considerations. ■ Limited time to produce SEA documents. ■ Assessment on the interrelationships of effects in some cases is poor. ■ Failure to explain how effects were predicted.
9. Mitigation Measures	■ Mitigation measures are specific to potential effects of implementing the plan.	■ Costly and time-consuming if significant changes to policies are required. ■ Mitigation measures often not taken account of in the final plan. ■ Benefits of SEA not achieved if it avoids specifics/difficult decisions and delays addressing them until the lower/project level.

	Key Strengths (Best Practice Examples)	**Key Weaknesses**
10. ER and NTS	■ Maps are particularly useful ways of highlighting areas of constraints and opportunities to planners and decision makers. ■ Improvements in GIS technology are increasing its influence. ■ NTS is a key means of ensuring that decision-makers and non-environmental stakeholders are aware of SEA findings. ■ NTS are often concise and to the point.	■ SEA documents are often too long and can be process-driven rather than competence-driven. This causes extra work for planners and statutory authorities ■ Repetition between the plan, Environmental Report, Natura Impact Statement and Flood Risk Assessment. ■ Absence of required technical framework documents (e.g. Conservation Management Plans for Natura 2000 sites, CFRAMS).
11. Amendments to the Plan Following Integration	■ In some cases amendments are being screened in terms of SEA and AA and if amendments are considered to be material a new round of consultation is taking place.	■ Amendment screening and second round of consultation are not being enforced. ■ Poor documentation and transparency of amendment stage. ■ Failure to assess amendments against strategic environmental objectives.
12. SEA Statement	■ SEA process very transparent once an SEA Statement has been prepared correctly.	■ Under-reporting of decision-making process. ■ Lack of formal requirement for statutory authorities to review SEA Statements; preparation of SEA Statements not policed. ■ SEA Statements can be very inconsistent. ■ Failure to prepare SEA Statements in some cases. ■ Lack of guidance on requirements.

	Key Strengths (Best Practice Examples)	Key Weaknesses
13. Post-Plan Adoption Including Monitoring	■ Good links between potential effects, proposed monitoring and mitigation measures provides a systematic mechanism of addressing how the plan is addressing environmental issues. ■ Increases transparency in the decision-making process. ■ Will aid in preparing project EIAs in the long term as it will aid in determining cumulative effects. ■ If SEA is done well at the higher levels of the plan hierarchy, SEA of lower tier plans will be easier. Also, the financial benefits can be seen at a project level if SEA is done well.	■ Monitoring typically not carried out: most online survey respondents indicated that they have never gathered or reported on monitoring data. ■ Lack of clarity surrounding what is required as part of SEA monitoring. ■ Lack of consistency in measuring parameters by various bodies/ agencies. ■ Frequency of monitoring, responsibility for monitoring, and trigger levels for intervention based on monitoring often not identified. ■ Identification of reasonable and measurable indicators is a key challenge. ■ No one is responsible for checking that mitigation measures are being implemented. ■ Lack of consultation with statutory authorities on plan monitoring.
14. Appropriate Assessment	■ AA strengthens the SEA process. ■ AA has the capacity to identify and resolve issues at a very early stage, which should eliminate the need for changes later in the process.	■ SEA and AA are currently very poorly integrated. ■ AA's precautionary principle can conflict with SEA's balancing approach. ■ Focus of AA does not always pick up related aspects such as water/ hydrology outside N2K site boundary.

	Key Strengths (Best Practice Examples)	**Key Weaknesses**
15. Influence of SEA, Integration with Plan-Making	■ The fact that SEA is required at all is considered a strength as it forces environmental issues to be considered alongside social and economic issues and provides for environmental protection. ■ SEA is identifying and addressing significant effects; it helps to avoid environmentally damaging development by highlighting areas of concern; it provides a basis for better planning. ■ When the SEA process begins early, its level of influence on a plan can be very high as issues will be identified and addressed early in the plan-making process. ■ SEA can raise awareness and acceptance of environmental/ sustainability considerations and help to create organisational knowledge. ■ SEA provides a forum for staff training, and for departments to link together to discuss issues and share information. ■ SEA is perceived as an effective use of time and resources. ■ SEA requirements strengthen the plan consultation process. ■ SEA makes planners address other Directives such as the Waste/Water Framework/Habitats Directives. ■ Significant knowledge has been developed regarding how to carry out certain types of assessments, e.g. those for air quality and noise. ■ Awareness of existing data gaps has increased, e.g. in the case of landscape. ■ Putting environmental issues at the forefront of plan-making might reduce the need for SEA work.	■ SEA influence differs for different aspects of the environment and depending on where plan is in the hierarchy. ■ SEA findings can be 'interpreted' or 'misinterpreted'. ■ The decision-making process is often under-reported, resulting in difficulties in identifying which plan policies/objectives were informed by or derived from the SEA and AA processes. ■ Some SEA requirements are considered to be excessive and/ or repetitive. It may be difficult to integrate other regulatory requirements without repeating previous work. ■ SEA and plan-making are often not well integrated. ■ Use of outside consultants to carry out SEA can give rise to a formulaic approach. ■ The time constraints placed on SEA by other legislative processes can affect the quality of the assessment. ■ SEA is resource-intensive. Few authorities have the in-house resources to carry out SEA, particularly as there is not always the full scope of specialties (i.e. ecologists or environmental scientists) required. ■ SEA focuses too much on mitigation; effectiveness of SEA cannot be solely based on mitigation. ■ SEA can be elevated above the plan; people can focus on the SEA/AA and not the plan itself. It needs to be recognised that environmental issues are only one set of decision-making parameters ■ SEA is sometimes used as a way of attacking a plan.

	Key Strengths (Best Practice Examples)	Key Weaknesses
16. SEA Governance	■ The current statutory environmental authorities are considered appropriate for the process. ■ EPA highlights potential significant effects, makes recommendations on screening (including making recommendations on where SEA should be undertaken). ■ Lack of enforcement powers within the EPA on SEA has resulted in greater integration between the EPA and practitioners.	■ There is a perception that SEA (especially compared to AA) does not have much legislative weight and so can be ignored. ■ No one body is responsible for governing the process. 'Self-governance' is inadequate as there are no repercussions if SEA is not carried out effectively. ■ EPA cannot require SEA to be undertaken. ■ There are no provisions for review and/or enforcement of SEA Statements or monitoring. ■ Failure in some sectors to engage in SEA at all; reluctance to carry out SEA if it is an immature process in a certain sector. ■ Clarification needed about the statutory authorities' roles, in particular on the transfer of responsibilities from DECLG and the DAHG and the role of the NPWS.

SEA Best Practice Examples Identified through Case Study Review: Loughs Agency Aquaculture and Shellfisheries Management Plan, Water Supply Project, Dublin City Development Plan, Killarney Development Plan, Fingal Development Plan, National Hazardous Waste Management Plan, Transport 2030 and Clare WES (See **Table 6.3**).

8.3 What Influence is the SEA Process Having in Identifying Significant Effects of Implementing Plans?

This review indicates that the SEA process has improved awareness of key environmental issues and allows the wider environmental picture to be viewed and considered by plan-makers. The SEA process helps to identify significant environmental effects of plans and programmes and ensure they are considered in the plan-making process.

The Biodiversity Action Plan prepared by the DAHG for the period 2011–2016 further states that 'the SEA process supports the objective of making biodiversity concerns central to decision making' (DAHG, 2011).

Generally, SEAs in Ireland comprehensively identify and describe plans' likely significant effects on the environment. However, cumulative and synergistic effects, transboundary effects, and interrelationships between effects tend to be poorly addressed. For instance, some Environmental Reports use a 'tick-box' table to describe interrelationships between effects, with little explanation of how the effects were identified. SEAs that use GIS/constraints maps tend to provide a much better understanding of the existing environment than those that don't.

Consultation early in the process with key stakeholders and the public is very useful in identifying likely significant effects.

Mitigation measures identified as a result of SEAs are mostly reflected in the final plans, but it is not always clear which mitigation measures are included in the plan as a result of the SEA, AA or the plan-making process itself.

The influence of SEA can differ for different aspects of the environment: for example, SEA might be very effective in protecting water and biodiversity but less so in protecting cultural heritage and landscape. This is often related to the expertise of the SEA team, whether guidance is available on a particular topic, and the availability of up-to-date and adequate baseline data.

When amendments are put forward into the adopted plan (in particular land use plans), these are often not assessed/screened in terms of SEA and AA. The Planning and Development (Amendment) Act 2010 makes provision for a further round of consultation with respect to material amendments to land use plans at this stage, but this problem is expected to continue for non land use plans.

8.4 Is the SEA Process Informing and Supporting Effective Integration?

One of the principal objectives of SEA is to integrate environmental considerations into plan-making. Good integration of all aspects of the process is fundamental to the effectiveness of SEA in improving plans. This is achieved though good integration of the SEA/AA and plan-making processes, SEA/AA and plan documentation and integration of the SEA/AA and plan-making teams. The SEA and plan-making processes need to be iterative, with the SEA starting early in the plan-making process, and the two processes taking place simultaneously with ongoing dialogue. The principal reasons for poor integration appear to be poor buy-in to the process from senior managers, decision makers and certain sectors, SEA input too late in the process, poor follow-through in SEA documentation and lack of experience in carrying out SEA.

Many people perceive SEA as being time- and resource-intensive, and a check list to be completed in order to advance a plan. Where this happens, the SEA and plan-making processes may run in parallel but there is no meaningful integration of SEA and plan-making. Getting buy-in from managers and decision-makers is crucial to SEA integration and effectiveness, and significant improvements are needed in this respect. To avoid wasting time and resources, it is critical to ensure that SEA focuses on the key issues early in the process.

Improved integration provides many opportunities to plan-makers and stakeholders in terms of information exchange and responses to issues identified. The SEA process provides an arena for departments and members in the same organisations to link together and to jointly discuss issues and share information. It can act as a forum for training and increased environmental awareness for everyone involved in plan-making – politicians, elected members, decision-makers and the public, as well as planners themselves. The internet, social media and GIS can all help in data sharing.

Integration of SEA with other forms of assessment (e.g. appropriate assessment) can reduce duplication and improve efficiency. The EPA is funding research into integrated biodiversity impact assessments so as to streamline assessments and prevent duplication of work. As mentioned above, the Biodiversity Action Plan prepared by the DAHG for the period 2011–2016 further states that 'the SEA process supports the objective of making biodiversity concerns central to decision making' (DAHG, 2011).

The OECD Environmental Performance Review of Ireland (2010) recommends the need to improve integration of biodiversity concerns in sectoral policies and projects, including through rigorous implementation of SEA and EIA procedures This is in line with the key findings of this study and is reflected in the recommendations in Chapter 9 of this Report (see Table 9.2 (Recommendations A5, B1, D1 and D2)).

Probably the most critical issue, however, is the lack of documentation of integration of SEA/AA and the plan-making process. The reasons for this are twofold. Where SEA is ineffective or leads to few changes, documentation of changes is not possible. Alternatively, where SEA is fully integrated in the plan-making process, changes arising from the SEA process may not be obvious in the plan even though they have clearly occurred. This is particularly the case for land use plans, where numerous changes to plan wording may take place during the course of the plan development.

Some plan-makers are resistant to including SEA- or AA-related mitigation and monitoring in their plan despite representations and/or recommendations by the statutory authorities and the SEA team. This is gradually changing, however, as more SEAs are carried out and various sectors become increasingly aware of their legal obligations. Integration should improve in second and subsequent cycles of SEAs of plans in established sectors such as land use plans.

Prescribed methods of integration are generally considered unhelpful as they can be too restrictive and may not take into account the differences between different types of plans. Instead, guidance on integration of planning and SEA or examples of best practice should be prepared, as they would provide a 'how to' rather than a 'how not to' approach.

8.5 What Opportunities Exist to Improve the Process?

Chapter 9 summarises the key recommendations on how the SEA process can be improved through better guidance, data collation, provision and sharing, training and awareness and governance and legislation.

8.6 How Effective is SEA Governance?

SEA is having an influence on the overall plan-making process in Ireland. It has made decisions more transparent, and SEA findings are generally incorporated into plans. However, those legislative instruments that have more 'teeth', such as appropriate assessment, currently appear to have more influence than SEA.

Some sectors (i.e. telecommunications, agriculture, forestry and tourism) are lagging behind in implementation of the Regulations. More strategic plans also don't lend themselves to typical SEA.

No SEA-related legal cases have yet been brought in Ireland. Of particular note is the wording of Article 8 of the Directive: 'the Environmental Report … the opinions expressed … and the results of any transboundary consultation … shall be taken into account during the preparation of the plan and before its adoption or submission to the legislative procedure' (emphasis added). There is a perception among decision makers that the legal interpretation of 'take into account' is not necessarily legally binding/obligatory. Should this change in the future, there may be a change in SEA implementation/ effectiveness.

The need for stronger enforcement was identified for:

- All relevant sectors to carry out SEA;

- Implementation of SEA mitigation measures in the plans;

- Ensuring that SEA is carried out by experienced practitioners;

- Review of post-adoption plan monitoring results/reports;

- Statutory authority review of SEA Statements; and,

- Requiring action if monitoring identifies that environmental targets are breached.

While minor modifications to the legislation may assist in addressing the issues identified above, no major changes to the legislation are required. Updates to guidance, provision of best practice notes and training and awareness are recommended instead.
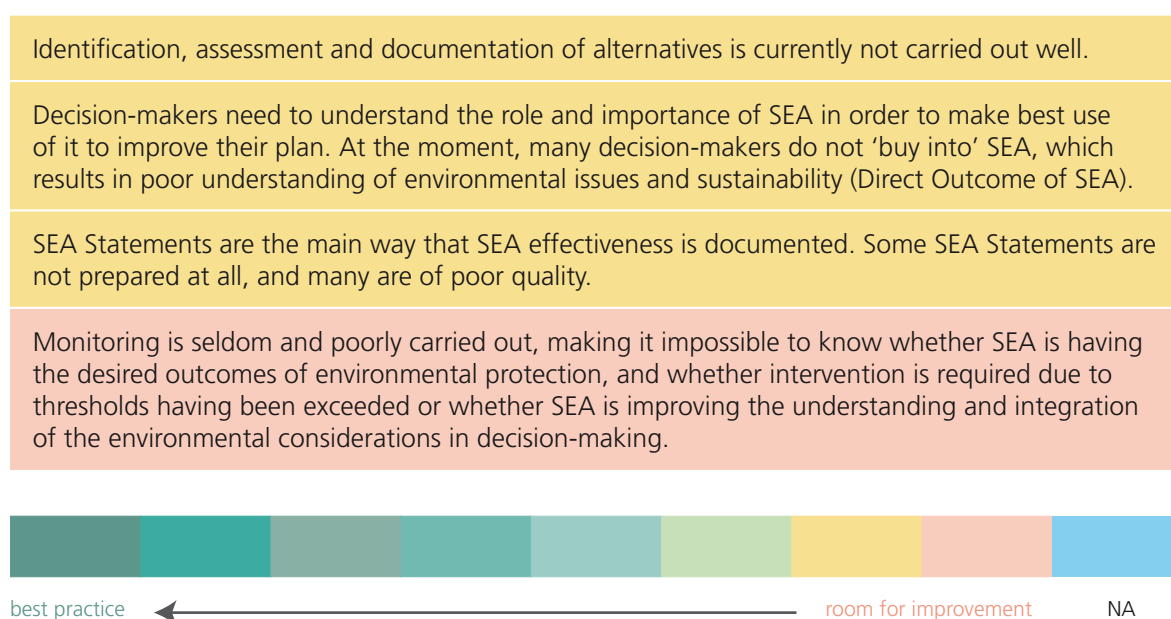
9   Recommendations and Conclusions

This chapter presents the key recommendations on how SEA integration, effectiveness and governance in Ireland can be improved, based on information from the various stages of the Review. The full set of outputs and recommendations are presented in **Appendix 1** of this Report. This chapter also presents potential key performance indicators (KPIs) for consideration for future testing of SEA effectiveness as outlined in **Section 9.2**.

9.1 Recommendations

Tables 9.1–9.4 list the key outputs and recommendations that have emerged from this Review under guidance; training and awareness; data collation, provision and sharing; and governance and legislation. **Tables 9.1–9.4** also provide an indication of the parties that are considered to be most appropriate to take the recommendations forward: these are suggestions only, and do not represent commitment by any party.

The division into short- (ST = within a year), medium- (MT = 1–3 years) and long-term (LT = >3 years) recommendations reflects (1) how straightforward it would be to implement the recommendation and (2) whether it is a priority recommendation.

Figure 9.1 highlights SEA areas where changes could particularly improve SEA effectiveness. These are areas that are currently under-performing, and that have particularly clear links to improving the outcomes:

Identification, assessment and documentation of alternatives is currently not carried out well.

Decision-makers need to understand the role and importance of SEA in order to make best use of it to improve their plan. At the moment, many decision-makers do not 'buy into' SEA, which results in poor understanding of environmental issues and sustainability (Direct Outcome of SEA).

SEA Statements are the main way that SEA effectiveness is documented. Some SEA Statements are not prepared at all, and many are of poor quality.

Monitoring is seldom and poorly carried out, making it impossible to know whether SEA is having the desired outcomes of environmental protection, and whether intervention is required due to thresholds having been exceeded or whether SEA is improving the understanding and integration of the environmental considerations in decision-making.

best practice ⟵ ──────────────────────────────── room for improvement   NA

Recommendations that deal with these four aspects are priority recommendations and are highlighted in orange and pink in **Figure 9.1** and in blue text throughout the recommendation tables.

Since drafting these recommendations, the SEA Technical Forum comprising the five statutory authorities has been established (Recommendation D1 in Table 9.4). The forum met in February, April and July 2012 to set about implementing the findings of this Review and in particular the key recommendations outlined in **Tables 9.1–9.4**.

Appendix 1 of this Report outlines the key **outputs and recommendations** from the various stages of the overall review, including workshops, interviews, case study analysis and questionnaires, and is considered useful as background information to the recommendations. This appendix should be referred to for specific recommendations to be included in the guidance documents for the various stages of SEA (i.e. alternatives, scoping, governance and integration, etc.).

The **Technical Appendices A–E** available on the EPA's website – http://www.epa.ie/whatwedo/advice/sea/ contain details of the following elements of the study – EPA Workshop (**Appendix A**), Online Questionnaire (**Appendix B**), Case Study Review and Interview Report (**Appendix C**), Literature Review (**Appendix D**) and SWOT Analysis of the Workshop and Online Questionnaire (**Appendix E**).

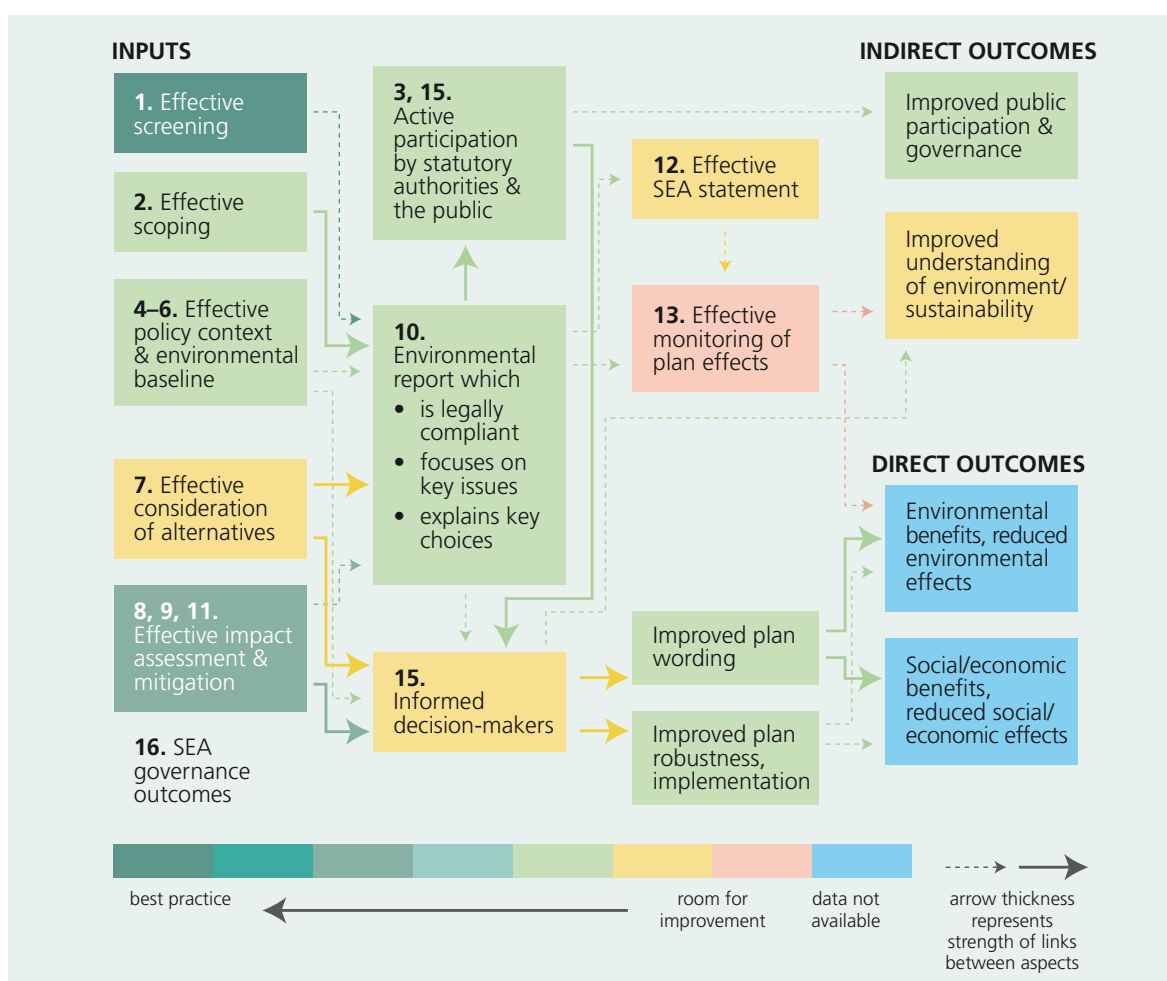*Figure 9.1: Effectiveness of SEA Inputs and Outcomes in Ireland*

Table 9.1: Recommendations – Guidance

Recom.*	Guidance	ST	MT	LT	Responsibility
A1	Increase awareness of existing SEA guidance available from the EPA, DECLG, DAHG (AA) (refer to **Section 2.3**).	👍			All SAs
A2	Update existing guidance on the SEA process to reflect current best practice (including the EPA SEA Pack).	👍			All SAs
A3	Prepare a series of Best Practice Guidance Notes[6] as a companion to the existing guidance to include the following aspects: a. Screening of non-mandatory plans, minor changes/variations including use of a decision tree. b. Scoping including scoping in/out of key issues, appropriate study area boundaries, links to AA, and scoping report format. c. Consultation (including transboundary consultation, consultation strategy, engaging with the public and SAs, appropriate consultation period and public participation). d. Evolution of the environment in the absence of the plan. e. Development and assessment of alternatives (including SEA team role, use of GIS, integration, etc.). f. Assessment of all of the 'types of effects', including short term, medium term, long term, permanent, temporary, secondary, cumulative, synergistic, positive, negative and the interrelationships between effects etc. g. Preparation of a clear, concise and relevant NTS. h. Documentation of the amendments stage and how to assess/screen amendment/modifications during the amendment stage. i. Development of an agreed set of environmental objectives, targets and indicators for use at national, regional and local levels. j. Development, implementation and reporting on SEA-related monitoring. k. Preparation of an SEA Statement (including format, contents and linkages between the SEA-derived changes and influence on the plan etc).	👍			All SAs

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6   Best Practice Guidance Note: 5–10 page document outlining how to undertake specific SEA stages. This is not intended to be an instruction manual, nor a detailed step-by-step process, but rather a guide to the principles that should be adopted in the SEA process.

Recom.*	Guidance	ST	MT	LT	Responsibility
A4	Prepare SEA Best Practice guidance for priority sectors (e.g. waste, forestry, energy, land use and water-related plans).		👍		EPA/DECLG and relevant sectors
A5	Prepare guidance for plan makers on integration of SEA/AA and plan-making (including documentation of changes to plans as a consequence of SEA/AA and the requirements of Article 8 of the SEA Directive and Article 6 of the Habitats Directive).		👍		NPWS/EPA/DECLG
A6	Prepare detailed guidance on Cumulative Effect Assessment, In Combination Effects Assessment in SEA/AA and how to link SEA and AA in the assessment process.	👍			NPWS/EPA DECLG

* Priority recommendations are highlighted.

** ST = within a year, MT = 1–3 years, LT = >3 years.

Table 9.2: Recommendations – Training and Awareness

Recom.*	Training and Awareness	ST	MT	LT	Responsibility
B1	Develop SEA and AA training modules to promote integration between SEA and AA (link to A5).	👍			All SAs
B2	Develop targeted training for SEA decision-makers, engineers, planners and key stakeholders to raise SEA awareness and responsibilities.		👍		All SAs
B3	Develop specific training modules on the assessment of effects (cumulative, synergistic, direct, indirect, significance, interrelationships, etc.), including use of GIS (link to A3(f) and A6).		👍		All SAs
B4	Convene a national SEA/AA Conference every 2–3 years to exchange and promote best practice.		👍		All SAs
B5	Convene regional/national SEA/AA Fora in association with RPAs for land use plans.	👍			All SAs/RPAs

* Priority recommendations are highlighted.

** ST = within a year, MT = 1–3 years, LT = >3 years.

Table 9.3: Recommendations – Data Collation, Provision and Sharing

Recom.*	Data Collation, Provision and Sharing	ST	MT	LT	Responsibility
C1	Contribute to the establishment, management and maintenance of a central database with access to all relevant legislation, circulars, guidance, etc. from the various SAs, to include the development of a web-based SEA Portal that includes: a) All SEAs ongoing and completed (including SEA Statements); b) All plans and programmes; c) Legislation, circulars and guidance; d) Best practice examples; e) National standardised set of objectives, targets and indicators; f) SEA-related monitoring; g) Appropriate Assessments; and, h) Baseline information, including GIS data.		👍		All SAs

* Priority recommendations are highlighted.

** ST = within a year, MT = 1–3 years, LT = >3 years.

Table 9.4: Recommendations – Governance and Legislation

Recom.*	Governance and Legislation	ST	MT	LT	Responsibility

D1	Establish a National SEA/AA Technical Forum comprising members of each of the statutory environmental authorities. Its role will be to:
	
	(A) Promote overall compliance with the requirements of the SEA Directive and Regulations
	
	(B) Promote consistency in responses from the statutory authorities
	
	(C) Seek to ensure that:
	  ■ Key data gaps are identified and addressed on a priority basis;
	  ■ SEA Statements are prepared and SAs notified;
	  ■ SEA mitigation measures are integrated and implemented;
	  ■ A set of standardised key national environmental objectives, targets and indicators is developed and agreed; and,
	  ■ SEA follow-up including monitoring is undertaken.
	
	(D) Review SEA Statements; and,
	
	(E) Review SEA monitoring reports and related targets.
		👍			All SAs

D2	Establish SEA/AA Regional Fora comprising planning authorities, statutory authorities, SEA/AA practitioners and RPAs.	👍			All SAs (DAHG, EPA, etc.) RPAs
D3	Issue Circular Note to highlight the key requirements of Article 8 of the SEA Directive (on decision-making) and associated parts of the SEA Regulations, i.e. 'shall be taken into account ...'.		👍	👍	DECLG
D4	Identify sectors where SEA has not yet commenced and promote awareness and engagement through guidance and training.		👍		All SAs
D5	Develop and agree National SEA/AA KPIs to evaluate SEA and AA effectiveness.		👍		All SAs
D6	Resource statutory environmental authorities so that they can engage more effectively at key stages in the SEA process.		👍		All SAs

* Priority recommendations are highlighted.

** ST = within a year, MT = 1–3 years, LT = >3 years.

9.2 Potential Role of Key Performance Indicators (KPIs) to Evaluate SEA Effectiveness

In line with **Recommendation D5** above and as part of this Review, RPS investigated the potential opportunities to use KPIs to assess SEA effectiveness. At present there is no formal, ongoing basis in Ireland for monitoring/evaluating SEA effectiveness was examined. One objective of this Review was to develop a metrics-based toolkit of KPIs for evaluating SEA effectiveness in Ireland. This aspect of the report represents a unique addition to the Irish effectiveness Review which was not a feature in other countries' effectiveness studies, and also represents an opportunity to enhance the value of the review for both regulators and practitioners.

Table 9.5 provides a set of preliminary/potential core KPIs for consideration and further examination. These are a combination of qualitative and quantitative measures based on the workshop, questionnaire responses, case study review methodology, literature review and examples from other studies. **Table 9.5** also indicates how the core KPIs could be assessed; recommendations that need to be implemented in order to facilitate the collection of information on the core KPIs; suggested timeframes for implementing the core KPIs; and whether each KPI is qualitative or quantitative.

The KPIs could be used in different ways. For instance:

■ They could be adapted to form a KPI Checklist for practitioners to submit to the statutory authorities with their completed SEA Statement based on the current EPA SEA Checklist.

■ The proposed National SEA Technical Forum could review a sample of SEAs/SEA Statements on an annual, three or five year basis using the KPIs. This would be similar to the Case Study Review undertaken as part of this Review. The core KPIs and/or the assessment template used in this Review could be used for this purpose. The findings of this review could be used as a mechanism to monitor overall progress on SEA topic areas and identify areas for improvement.

The application of the KPIs would assist in the identification of aspects of SEA that are performing particularly well along with those that are in need of improvement. Recommendations could then be put forward on possible options to address the specific aspects identified for improvement. Where new guidance or procedures have been implemented, this approach should identify progress through improved ratings in these areas.

Table 9.5: Potential Core KPIs

Key Performance Indicators	Assessment	Mechanism of Delivery Linked to Recommendation Codes in Tables 9.1–9.4 above	Timeframe (Short – ST/ Medium – MT/ Long Term – LT)	Quantitative/ Qualitative
KPI 1. Cumulative number of SEAs initiated per sector identified in legislation (Purpose: show trends in different sectors, and allow statutory authorities to target those sectors identified in the legislation that may not be fully conforming to the requirements and not undertaking SEAs.)	Numbers of plans undertaken by Sector.	■ C1 ■ D1	ST/MT/LT	Quantitative
KPI 2. Changes in the quality of the environment confirmed by monitoring programmes for plans that are relevant, i.e. Water Framework Directive, Pollution Reduction Programmes, etc. (Purpose: identify whether SEA is improving environmental quality and demonstrating whether targets are been reached.)	Review of monitoring programmes and associated progress, i.e. River Basin Management Plan achieving the WFD Objectives with regard to improved water quality status.	■ A3 (I and J) ■ D1	LT	Qualitative
KPI 3. Proportion of plans that included indicators relating to International Conventions and EU Directives, such as the Marine Strategy Framework Directive and Water Framework Directive (Purpose: Identify whether other Directives are being considered in assessment of effects.)	Audit of achievement of relevant indicators	■ Completion of EPA SEA Checklist by SEA practitioner throughout the SEA Process ■ A3 (I and J)	MT	Quantitative
KPI 4. Proportion of adopted plans with SEAs for which SEA Statements have been prepared (Purpose: ensure SEA process is being fully implemented and improve transparency in decisions taken in final adopted plan.)	Number of plans with SEA Statements	■ Completion of SEA Checklist by SEA practitioner throughout the SEA Process ■ A3 (I, J and K) ■ C1 ■ D1	ST	Quantitative

Key Performance Indicators	Assessment	Mechanism of Delivery Linked to Recommendation Codes in Tables 9.1–9.4 above	Timeframe (Short – ST/ Medium – MT/ Long Term – LT)	Quantitative/ Qualitative
KPI 5. Proportion of SEA Statements that clearly show that the Plan-making and SEA process explicitly addressed statutory authorities' and the public's inputs and concerns. (Purpose: identify integration of consultation in the SEA process.)	Completion of EPA SEA Checklist (**Section 12**)	▪ Completion of SEA Checklist by SEA practitioner throughout the SEA Process ▪ A3 (C and K) ▪ D1 (related to reviewing SEA Statements).	ST	Quantitative
KPI 6. Number of project-related assessments (EIA/AA) that were informed by SEA	Number of planning applications influenced by SEA.	▪ Review of Planning Decisions/ court rulings etc.	MT	Quantitative
KPI 7. Quality of SEAs produced (Purpose: to monitor overall progress on SEA topic areas and identifying areas for improvement.)	Quality of SEAs and overall influence on plans	▪ Review of a selection of SEAs completed for various sectors ▪ D1 (related to reviewing SEA Statements)	Annually	Qualitative

** ST = within a year, MT = 1–3 years, LT = >3 years.

9.3 Conclusions

This Review has considered how SEA has been implemented in Ireland since its introduction in 2004. It is clear from the Review that SEA is fulfilling its role and is providing a vital tool for environmental protection in Ireland. SEA ensures that environmental considerations are taken into account in policy development and implementation, and is raising the profile of environmental issues in decision-making at plan level among those sectors applying SEA. It is also clear that the EPA has built a framework of support to improve SEA effectiveness and implementation, and this framework is appreciated by plan-makers and practitioners alike. Furthermore, the Review indicates that the implementing legislation in Ireland is broadly appropriate and no significant difficulties have arisen with interpretation to date that would warrant substantial changes.

However, while considerable progress has been demonstrated in applying SEA in Ireland over the past eight years, a number of challenges have been identified which are acting as barriers to ensuring effective implementation across the board. These challenges are similar to those experienced in other EU Member States.

Recommendations and actions have been developed as part of this Review which range from changes to governance through to provision of new guidance in key areas, training and awareness raising and data management. Successful implementation of the recommendations/actions will improve SEA effectiveness through better integration, more effective governance and more focused assessments.

How SEA progresses into the future will very much depend on the political support given to the process. SEA must be seen to be a serious piece of legislation with as much influence as Appropriate Assessment. For that, the designated Statutory Authorities (including those newly appointed under the 2011 amended Regulations) must be given the resources to deal specifically with the statutory consultation required under the legislation. To date the EPA has offered the most consistent and comprehensive support and this model is something that could be adopted and expanded by the other statutory authorities into the future. Without adequate resourcing those statutory authorities charged with steering SEA forward and with implementing the recommendations that have emerged from this Review, while developing SEA into an effective means of environmental protection, will not be in a position to offer genuine support and mentoring. The outcome will be plan-makers that see SEA as a luxury they cannot afford to deal with in any real or meaningful way.

As a direct response to the recommendations of the SEA Review a National SEA Technical Forum comprising the five statutory authorities has now been established. The forum has met in February, April and July 2012 to set about implementing the key priority recommendations of this Review. The key recommendations will be implemented through an SEA Action Plan which has been formulated and agreed by the 5 statutory environmental authorities[7]. The SEA Action Plan is published alongside this SEA Review and can be accessed on www.epa.ie. This will form the basis of a structured, coordinated and prioritised implementation plan for the key recommendations outlined in **Tables 9.1–9.4** above.

Overall SEA provides an opportunity to influence decision-making early in the planning process. Achieving this can happen if plan-makers, SEA practitioners, the statutory authorities and other interested stakeholders come together and act on the recommendations and actions in this Review to work toward best practice in SEA in Ireland.

7　DECLG, DAHG, DAFM, DCENR and EPA.

10 Abbreviations and Glossary

Abbreviation	Explanation
AA	Appropriate Assessment
DAFM	Department of Agriculture, Food and the Marine
DAHG	Department of Arts, Heritage and the Gaeltacht
DCENR	Department of Communications, Energy and Natural Resources
DECLG	Department of the Environment, Community and Local Government
DEHLG	Department of the Environment, Heritage and Local Government
EA	Environmental Authority
EIA	Environmental Impact Assessment
ER	Environmental Report
EPA	Environmental Protection Agency
EC	European Commission
IFI	Inland Fisheries Ireland
KPI	Key Performance Indicator
LA	Local Authority
GIS	Geographical Information Systems
GSI	Geological Survey of Ireland
NTS	Non-Technical Summary
NPWS	National Parks and Wildlife Service
Plan	Plan/Programme
RBMP	River Basin Management Plan
RPA	Regional Planning Authority
SEPA	Scottish Environment Protection Agency
SA	Statutory Authority
SAC	Special Area of Conservation
SEA	Strategic Environmental Assessment
SPA	Special Protection Area
WCC	Waterford County Council
WRA	West Regional Authority
WFD	Water Framework Directive

Appropriate Assessment: An assessment of the effects of a plan or project on the Natura 2000 network. This network comprises Special Protection Areas under the Birds Directive, Special Areas of Conservation under the Habitats Directive, and Ramsar sites designated under the Ramsar Convention (collectively referred to as European sites). The AA process can trigger the need for a full Habitats Directive Assessment and this was undertaken for the Draft WES in this instance.

Baseline Study: A study carried out to establish the environmental conditions that prevail at a given site before any human activity is introduced. This provides a 'baseline' against which any future changes in conditions can be compared.

Biodiversity: The number and variety of different organisms in a given environment. This includes genetic diversity, species diversity, and ecological diversity.

Cumulative Effects: Effects on the environment that result from incremental changes caused by the strategic action together with other past, present, and reasonably foreseeable future actions. These effects can result from individually minor but collectively significant actions taking place over time or space.

Data: Includes environmental data, proxy data, any other relevant statistical data.

Environmental Authorities: See Statutory Authorities.

Environmental Assessment: The preparation of an Environmental Report, the carrying out of consultations, the taking into account of the Environmental Report and the results of the consultations in decision-making and the provision of information on the decision (in accordance with Articles 4 to 9 of the SEA Directive).

Environmental Objective: Broad, overarching principles that should specify a desired direction of environmental change.

Environmental Report: A document required by the SEA Directive as part of an environmental assessment which identifies, describes and evaluates the likely significant effects on the environment of implementing a plan.

Environmental Target: A target usually underpins an objective, often having a time deadline that should be met, and should be accompanied by limits or thresholds.

Geographical Information System (GIS): A GIS is a computer-based system for capturing, storing, checking, integrating, manipulating, analysing and displaying data that is spatially referenced.

Habitats Directive: European Community Directive (92/43/EEC) On the Conservation of Natural Habitats and of Wild Flora and Fauna and the transposing Irish regulations (The European Union (Natural Habitats) Regulations, S.I. 94/1997 as amended). It establishes a system to protect certain fauna, flora and habitats deemed to be of European conservation importance.

Hierarchy of Plans: Both higher and lower level plans relevant to the plan being assessed.

Indicator: A measure of an environmental variable over time, used to measure achievement of environmental objectives and targets.

Indirect Effects: Any aspect of a plan that may have an impact (positive or negative) on the environment, but that is not a direct result of the proposed plan. May also be referred to as a secondary effect.

Interrelationships: Associations or linkages, related to environmental impact of the proposed plan, usually on environmental receptors.

Land Use: Various designations of activities, developments, cropping types, etc, for which land is used.

Mitigation Measures: Measures to avoid/prevent, minimise/reduce, or, as fully as possible, offset/compensate for any significant adverse effects on the environment, as a result of implementing a plan.

Monitoring Programme: A detailed description of the monitoring arrangements to be put in place to carry out the monitoring of the impact of the proposed plan on the environment, including frequency of monitoring, who has responsibility for monitoring, and responses if monitoring identifies significant negative effects.

Natura 2000: European network of protected sites which represent areas of the highest value for natural habitats and species of plants and animals that are rare, endangered or vulnerable in the European Community. Includes Special Areas of Conservation (SACs) and Special Protection Areas (SPAs). SACs are designated under the Habitats Directive and SPAs are classified under the Birds Directive.

Non-Technical Summary: A summary of the findings of the ER, summarised under the headings listed in Annex 1 of the SEA Directive that can be readily understood by decision-makers and by the general public. It should accurately reflect the findings of the ER Programme of Measures.

Screening: The determination of whether implementation of a plan would be likely to have significant effects on the environment.

SEA Statement: This is prepared after plan adoption, and must present information on how environmental considerations have been integrated into the plan; how the Environmental Report and opinions on the report have been taken into account; and reasons for choosing the plan in the light of other reasonable alternatives.

Secondary Effects: Effects that are not a direct result of the plan (same as indirect effects).

Short-Term Effects: These are typical of effects that may occur during construction stage of a development; for example, the increased traffic going to and from a site during construction, or the noise associated with construction activities.

Significant Effects: Effects on the environment, including on issues such as biodiversity, population, human health, fauna, flora, soil, water, air, climatic factors, material assets, cultural heritage including architectural and archaeological heritage, landscape, and the interrelationship between the above factors.

Special Area for Conservation (SAC): SACs are internationally important sites, protected for their habitats and non-bird species. They are designated, as required, under the EC Habitats Directive. A Candidate Special Area of Conservation (cSAC) is a candidate site, but is afforded the same status as if it were confirmed.

Special Protection Area (SPA): SPAs are sites of international importance for breeding, feeding and roosting habitat for bird species. They are designated, as required, under the EC Birds Directive.

Stakeholder: A person or organisation with a share or interest in a project or entity.

Statutory Authorities: Organisations which, under Irish law, must be consulted over a proposed development. Under legislation relating to the SEA Directive, these are the EPA, DECLG, DAHG, DAFM and DCENR.

Steering Group: A panel of experts representing interested key organisations or stakeholder groups, overseeing the progression of the SEA.

Strategic Environmental Assessment (SEA): Assessment under EU Directive 2001/41/EC. SEA is a multi-stage process, designed to enable the integration of environmental considerations at key stages of the plan development process and to maximise the potential for environmental effects to be minimised.

Synergistic Effects: Effects that, when totalled, result in a greater or lesser effect than the sum of the individual effects.

Transboundary Consultation: If a plan is being prepared that is likely to have significant effects on the environment in another Member State, or where a Member State likely to be significantly affected so requests, the Member State in whose territory the plan is being prepared shall, before the plan's adoption or submission to the legislative procedure, forward a copy of the draft plan and the relevant Environmental Report to the other Member State.

Water Framework Directive: EU Water Framework Directive 2000/60/EC sets out a system for the integrated and sustainable management of river basins so that the ecological quality of waters is maintained in at least a good state or is restored. The Directive lays down a six-yearly cycle of river basin planning.

11 Bibliography

Breen, Rachel (2010) *A Preliminary Study on Strategy Environmental Assessment (SEA) Effectiveness in Ireland*. Unpublished.

CLG (2010) *Towards a more efficient and effective use of Strategic Environmental Assessment and Sustainability Appraisal in spatial planning*. Communities and Local Government, London. http://communities.gov.uk/documents/planningandbuilding/pdf/15130101.pdf

DAHG (2011) Action for Biodiversity 2011–2016. Ireland's National Biodiversity Plan.

DEHLG (2004) *Implementation of SEA Directive (2001/42/EC): Assessment of the Effects of Certain Plans and Programmes on the Environment – Guidelines for Regional Authorities and Planning Authorities*.

DEHLG (2011) *Circular Letter PSSP 5/2011, Compliance of existing land use plans with the EU Habitats Directive*.

DEHLG (2011) *Circular Letter PSSP 6/2011, Further Transposition of EU Directive 2001/42/EC on Strategic Environmental Assessment (SEA)*.

DECLG (15 February 2008) *Appropriate Assessment under Article 6 of the Habitats Directive*. Circular SEA 1/08 & NPWS.

DECLG (11 March 2011) *Appropriate Assessment under Article 6 of the Habitats Directive: guidance for Planning Authorities*. Circular NPW 1/10 & PSSP 2/10.

EPA (2009) *GISEA Manual – Draft*. www.epa.ie/downloads/consultation/Updated%20Jan%202010%20Draft_GISEAManual.pdf

EPA (2008) *SEA Process Checklist – Consultation Draft*. www.epa.ie/downloads/advice/ea/SEA%20Process%20Checklist.pdf

EPA, CCC & WRA (2010) *Draft SEA Implementation Manual*. Unpublished. Environmental Protection Agency, Cavan County Council & West Regional Authority.

European Commission (2009) *Study concerning the report on the application and effectiveness of the SEA Directive (2001/42/EC)*. European Commission, DG ENV, Denmark.

Gonzalez, A., Fry, J., Hochstrasser, T., Scott, P., Carvill, P., Jones, M. *A Methodological Approach to Integrating Strategic Environmental Assessment and Biodiversity Impact Assessment*. www.ucd.ie/ibia/AGonzalez_IBIAmethodology.pdf

Irish Government (2000) Planning and Development Act 2000–2010.

Irish Government (2004) European Communities (Environmental Assessment of Certain plans and Programmes) Regulations 2004 S.I. 435.

Irish Government (2004) Planning and Development (Strategic Environmental Assessment) Regulations 2004 S.I. 436.

OECD (2010) *Environmental Performance Review of Ireland*. OECD, Paris.

Scott, P. and Marsden, P. (2003) *Development of Strategic Environmental Assessment (SEA) Methodologies for Plans and Programmes in Ireland (2001-DS-EEP-2/5) – Synthesis Report*. Prepared for the Environmental Protection Agency, Wexford.

Scottish Environmental Protection Agency, Historic Scotland and Scottish Natural Heritage (2011) *The Scottish Strategic Environmental Assessment Review*, www.sepa.org.uk/planning/strategic_environmental_assess/scottish_sea_review.aspx

S.I. 200 of 2011 European Communities, Environmental Assessment of Certain Plans and Programmes Amendment Regulations and S.I. 201 of 2011, Planning and Development (Strategic Environmental Assessment) Amendment Regulations.

Appendices

Appendix 1: Summary of Key Outputs and Recommendations from Various Stages of the Review

Recommended by:

Case	Irish Case Study Review of Interview	**Scot**	Scottish Questionnaire
EC	European Commission SEA review	**SEPA**	Scottish SEA review
Eng	English SEA review	**Work**	EPA Workshop
Quest	Irish Online Questionnaire		

Table 1: Screening	Recommended by
Develop a streamlined screening methodology: a two-page checklist should be sufficient for screening for small towns/sub-threshold plans or variations.	Quest
Introduce pre-screening guidance/stage to rule out non-significant types of variations from formal screening.	Case
Develop guidance on whether a Plan/Programme that requires AA also automatically requires SEA. Also further guidance on what elements of an SEA are mandatory versus what is considered to be best practice.	Work
Key Recommendations Short guidance note/Circular on screening non-mandatory plans and minor changes/variations.	

Table 2: Scoping	Recommended by
Ensure SEA process begins at the earliest stage in the process, that the public and other stakeholders are involved in the process, and that it is less resource-intensive and focuses on key issues.	Quest, SEPA, Case
Focus on key strategic issues and scope out issues that are not likely to cause an issue early in the process. Keep environmental topics 'under review' by scoping them in initially but then scoping them out as more detail about the plan becomes available.	Quest, Work, Scot
Require publication of the Scoping Report alongside Issues Paper for land use plans to ensure it is available to the public.	Case
Hold a scoping workshop with the EPA for regional-level and possibly county-level plans.	Case, Work
Scoping responses from statutory authorities should be plan-specific and statutory authorities should focus their involvement during the scoping phase.	Case, Work, Quest

Table 2: Scoping	Recommended by
Include final scoping outcomes, issues raised and recommendations from scoping consultation in the Environmental Report.	Case, SEPA
Document AA screening at scoping stage.	Case
Include timescales to reflect the spatial extent and complexity of plans.	Case
NPWS to provide guidance on scoping of SEA and AA and the linkages between the two for biodiversity-related aspects.	Work

Key Recommendations

SEA and AA training to raise awareness and on linkages/integration between SEA and AA.

Guidance on scoping including scoping in/out issues, appropriate boundaries of the plan to be assessed and overall scoping report format. Guidance to demonstrate how SEA, AA and Plan should evolve together and ensure consultation begins at the earliest stage.

Guidance on Scoping for AA and SEA and linking the two processes.

Table 3: Consultation on Draft P/P and ER	Recommended by
Statutory authorities should be engaged with early in the SEA process, and should respond to consultation requests even if they don't have comments	Case, SEPA, Work
The following methods of consultation should be considered depending on the plan type or significance of the plan: public meetings and workshops; advertisements and contact with key stakeholders; media, web and electronic displays of information; focus groups of interested parties.	Quest, Case, Eng, Work
A clear Non-Technical Summary should be provided.	Quest
Increase non-statutory stakeholders in the consultation process to include the OPW, NGOs, local authorities, infrastructure providers, marine institute, academic institutions, social and economic stakeholders and the public.	Quest, Work
A workshop approach should be adopted by the other statutory authorities similar to the approach currently adopted by the EPA, which is restricted to key significant plans.	Case
Responses to issues raised in submissions should be identified and linked to where these matters have been addressed within the Environmental Report or plan, or else an explanation should be provided for why these matters are not addressed in the interests of transparency.	Case, SEPA, Work
Provide guidance on transboundary consultation.	Case, SEPA
Consultation should be increased in sensitive areas, e.g. freshwater pearl mussel areas to get NGOs involved at an early stage.	Case
Details on consultation outputs should be provided in the Environmental Report and in the SEA Statement.	Case

Table 3: Consultation on Draft P/P and ER	Recommended by
Explore opportunity to develop a consultation strategy for SEA or best guidance document.	Case
Other statutory authorities (NPWS and DCENR) should provide more detailed plan-specific responses and become more involved in the process with a more hands-on approach similar to the EPA.	Work
An SEA portal should be set up which could be used to notify all statutory authorities when documentation has been uploaded so that it does not get lost in the system. It should also be developed similarly to the planning websites of most local authorities, where it is easy to follow the review process of a plan and SEA.	Work
Statutory authorities should keep their website updated with the required consultation procedures during the SEA process, an explanation of their role and a contact point within the organisation.	Work
Public training and education with respect to SEA would make their participation more effective.	Work
A formal consultation group which includes members of the public should be established to work with practitioners and plan-makers and input into the SEA process.	Work
Key Recommendations Formalise Workshop Approach. Guidance on Consultation (including transboundary consultation, consultation strategy, engaging with the public and SAs, appropriate times for consultation, etc). Guidance on how to prepare a clear and concise NTS. SEA Portal and/or update Website SAs with guidance, SEAs, plans and central database. SEA awareness-raising programme for decision-makers and public.	

Table 4: Plan Description and Review of other Plans/Legislation	Recommended by
There should be a central database of all plans and SEAs nationally. A webpage should be created to download these plans from and it could be regularly updated, distinguishing between those on public display, being reviewed or adopted.	Case, Eng, SEPA, Quest, Work
The most appropriate boundaries should be used to define the study area, i.e. geographical boundaries, for example river catchments.	Work
Key Recommendations SEA Portal and Scoping Guidance (see above).	

Table 5: Existing Environment	Recommended by
Develop a centralised database similar to the Biodiversity Research Centre. This should include a GIS baseline database with relevant national and local datasets. Basic datasets required for SEA are often not available in Ireland. Monitoring results should also be stored in this central repository.	Case, SEPA, Quest, EC, Work
Use constraints mapping for all SEAs.	Case
GIS modelling techniques should be fully explained. Maps should be 'large enough' or 'provide data at a relevant scale' to add value to the Environmental Report. Provision of SEA GIS with plan/catchment level functionality.	Case, Eng, SEPA, Quest
Develop a short guidance note on evolution of the environment for specific topics.	Case
Establish clear details of deficiencies and data gaps in the baseline, and how to address them. Develop a systematic approach to addressing data gaps.	Case, Work
Key Recommendations Develop a centralised database for baseline data and GIS. Guidance note on evolution of the environment in the absence of the plan. Guidance note on GIS in SEA and its functionalities. Address data gaps (through SEA Technical Forum).	

Table 6: Objectives, Targets and Indicators	Recommended by
Provide a link between the environmental pressures identified in baseline environmental information, the environmental objectives and the monitoring through indicators and targets. This should be followed up with specific policies/objectives in the plan that takes these environmental considerations into account.	Case
New procedures (e.g. at a local authority level) for the collection of monitoring/indicator data should be agreed prior to inclusion in the monitoring section of the Environmental Report.	Case
Expansion of EPA SEA Pack to include more sources of information for indicators; establishment of a set of key national indicators.	Quest
Key Recommendations Update and formalise EPA SEA Pack to possibly include a set of key national indicators. See Recommendations on Monitoring in Table 13 – Post-P/P adoption including monitoring.	

Table 7: Alternatives	Recommended by
The SEA team and plan-makers should be involved in the development of alternatives. Opportunities to develop new alternatives in the Environmental Report should be investigated.	SEPA, Case, Work
Guidance should be developed on the development and assessment of alternatives (in particular where planning hierarchy poses constraints)	Case, Eng, SEPA, EC, Work
Ensure all aspects of the environment are accounted for in selecting alternatives, i.e. climate change is often omitted.	SEPA, Case, Work
Factors other than environment need to be taken into account by the plan-makers when selecting alternatives (i.e. engineering, economic).	Quest
Ensure that a considered and early discussion is given to the topic of alternatives.	Quest
Alternatives should be sufficiently broad to ensure that there is more than one realistic/reasonable alternative.	Case, Work
The Environmental Report should document the 'storyline' of alternatives, i.e. when and why they have come in and been removed, and also the reason for the choice of final alternative(s).	Case
Alternatives should be supported by GIS assessment and imagery where possible.	Case
Key Recommendations Guidance note on the development and assessment of alternatives (including SEA team role, use of GIS, integration, etc.).	

Table 8: Likely Significant Effects of the P/P	Recommended By
Ensure assessments are carried out by qualified and experienced practitioners.	Quest, Work
The level of detail of assessment should be proportional to the level of detail of the plan.	Quest, Work
Guidance should be prepared on cumulative effect assessment and interrelationship of effects.	Case, Eng, Quest, SEPA
Guidance should be prepared on how to assess all effect types and significant effects (including meaning of 'significance' for various topics).	Case, Eng, SEPA, Quest, EC, Work
GIS should be used in the assessment of effects.	Case
Environmental Reports should explain how effects were predicted.	Case
Greater focus should be placed on environmental limits to help with assessing cumulative effects.	Case
Guidance should be developed on the level of detail to be considered at the regional level, to ensure 'strategic issues' were considered.	Case

Key Recommendations

Ensure impact assessment is carried out by experienced SEA practitioners.

Training on the assessment of effects (cumulative, synergistic, direct, indirect, significance, interrelationships, etc).

Guidance on how to undertake assessment of effects including cumulative, synergistic, direct, indirect, significance, interrelationships, use of GIS to assess effects, etc.

Table 9: Mitigation	Recommended By
The wording of the plan policies/objectives/etc. should provide a strong commitment to protection of particular environmental vulnerabilities.	Case
A summary table should be provided in the Environmental Report and plan showing SEA mitigation measures and AA mitigation measures.	Quest, SEPA
Summary tables should be used to link likely significant effects to proposed mitigation (including relevant objectives/policies that take effects into account where relevant) and monitoring proposals.	Case, Quest, SEPA
The role of statutory authorities should be expanded to a regulatory role with legislative backing to include more power to follow up/check SEA/AA mitigation and monitoring implementation and to accept/reject SEAs based on content, quality, etc.	Quest
All of the findings of the SEA should be evidence-based, as this convinces decision-makers of the value of the information contained in the SEA (although there is no primary data collection in SEA so it may be difficult to do this).	Work
Local authorities should maintain a procedure for recording details of data resources used, date of information, etc. This should be updated prior to SEA being undertaken on a plan, so a central internal source has links to updated information on a regular basis.	Work
Key Recommendations Guidance Note for Plans to include a summary of mitigation measures or changes to the plan as a consequence of the SEA (through use of table). Governance: Role of SAs should be expanded to a regulatory role to ensure mitigation measures are been implemented.	

Table 10: ER and NTS	Recommended By
Regulation should be prepared on the quality of Environmental Reports needed.	Case, SEPA
Use less technical terminology and make SEA documentation more concise. Provide a short summary of the main findings and how the SEA influenced the plan. Avoid repetition of legislation.	Case, Eng, SEPA, Work
Environmental Reports should include maps that show the plan boundary and extent of effects outside the plan area, as the SEA should take into account the potential effects on the environment adjacent to the plan area. Maps should also show key sensitivities.	Work
Key Recommendations Guidance note on how to prepare a clear and concise NTS.	

Table 11: Amendments to the P/P Following Consultation	Recommended By
Documentation of the amendment stage should be improved to become more transparent, for example including the provision of a table outlining the key proposed amendments, source of proposed amendments and SEA recommendations associated with the amendments.	Case, SEPA, Work
Legislation should be introduced that would ensure amendments are being screened and consulted on if material (New Planning & Development Act is likely to solve this issue with respect to land use plans).	Case
Key Recommendations Guidance on documentation of the amendments stage and how to assess/screen amendment/modifications for SEA and AA.	

Table 12: SEA Statement	Recommended By
Central database to view all SEA Documentation.	Case, SEPA, Quest, EC
Independent review group to audit SEA Statements.	Case, SEPA, Quest
Inclusion of a Draft SEA Statement to accompany the Consultation Draft of the plan and the Environmental Report.	Case
SEA Statements should provide a summary of consultation responses and how they were taken on board in the plan.	All
SEA Statements should incorporate the use of mapping (e.g. consolidated map of environmental sensitivities or alternatives).	Case
SEA Statements should clearly explain the integration between the plan, SEA team and AA team in the SEA/AA and plan-making process.	All
Key Recommendations Independent Review group to audit SEA Statements. SEA Statement Guidance Note. SEA Portal (see above). Governance: Formalise the requirement for review of SEA Statements by statutory authorities to capture the overall influence of SEA on the plan-making process.	

Table 13: Post-P/P Adoption	Recommended By
Develop guidance on how to create a monitoring programme, including responsibilities for undertaking monitoring and corrective action.	Case, Quest, EC, Work
Combine plan and SEA monitoring.	Case
Include frequency of monitoring, timescales, targets and thresholds for intervention; and responsibilities for intervention. This will ensure that most critical monitoring is undertaken and intervention occurs at the appropriate time.	Case, Work
Prioritise monitoring indicators on those aspects most at risk.	Case
Assess the effectiveness of monitoring proposals.	Case
Monitoring results should be made available in Annual Reports that are prepared on the plan. Increase integration between Annual Monitoring Reports and SEA where applicable (land use plans). Strengthen the reporting arrangements for monitoring of plans every two years to feed into the manager's report and ensure integration of the SEA monitoring programme into the plan.	Quest, Work, Case, Eng
Monitoring should provide a 'learning outcome/opportunity' for practitioners and decision-makers.	Case
National monitoring standards should be developed for land use plans.	Case
Where new monitoring (e.g. not already carried out by a local authority) is proposed, formalised procedures for data collection must be developed and responsibilities should be assigned,	Case
Regional Authorities, in their statutory role in commenting on the review or the making of variations to Development Plans, should highlight the 'key environmental issues' identified in RPGs SEA to each local authority.	Case

Key Recommendations

Guidance on how to develop a monitoring programme.

Sector-specific guidance documents for implementing SEA including monitoring proposals.

Governance: Stronger legislative requirements for monitoring of Plans every two years or so and ensuring integration of the SEA monitoring programme into the Plan.

Governance: Require action if targets are breached.

Need for guidance, governance and policing with respect to monitoring and intervention.

Table 14: Appropriate Assessment	Recommended By
AA and SEA should be an integrated process. Ensure AA is undertaken in tandem with the SEA Scoping phase by a qualified and experienced team in both SEA and AA.	Quest, Case
The first stage in the SEA process should be to undertake Screening for AA.	Case
AA should be used to develop alternatives to avoid effects to Natura 2000 sites.	Case
Guidance should be developed linking SEA and the Habitats Directive, i.e. integration of SEA and AA. The guidance should clarify whether a plan that requires AA also automatically requires SEA. (The EPA has advised that the IBIA Project, which is intended to review this, is currently under way.)	Case
Key Recommendations Guidance linking SEA and AA, including where AA should feed into the assessment of alternatives put forward in the plan.	

Table 15: Influence of SEA, Integration with Plan Making	Recommended By
Ensure that consultants/personnel have relevant experience in undertaking SEAs and AA.	Case, Quest
Update the guidance on the SEA process, make it less tedious, stop duplication and make it more focused (including a checklist-type approach to SEA screening).	Case
Current guidance is very much geared towards land use plans. It should also look at methodologies and guidance for other types of plans similar to the EPA Guidelines for EIA Project Types.	Case, EPA Case Study
SEA should be started early in the plan-making process and involve decision-makers at key stages of the SEA process so that they are aware of the implications of SEA, its findings and how it influences plan-making.	All
Ensure that the public and other stakeholders are involved and informed of the process. Through targeting consultation to interested parties, stakeholders and the public at an early stage, responses can be incorporated into the plan at an early stage, which allows for effective integration	All
There is a need for better interaction between the SEA and planning teams, and the SEA and AA teams. Information and training are needed on the level of integration that is required (workshops, meetings, etc.) in the Environmental Report.	Case, Quest, Work

Table 15: Influence of SEA, Integration with Plan Making	Recommended By
SEA should be promoted as a tool to inform decision-making and not an obstacle to development (potentially through training). Make focused presentations to decision-makers early on and at key stages to ensure they engage in the SEA process. Clearly demonstrate how the SEA process has influenced the plan, including through integration of the outputs from the respective processes in relevant documentation to ensure that the SEA outputs are read and considered by decision-makers and are seen as fundamental components of the plan.	All
For land use plans, there needs to be buy-in from all parties involved: planners, environmentalists, all departments of the Council, executives and management. Every local authority or regional authority should have an SEA integration officer/coordinator organising between planners, management and SEA Team.	Case, Work
Ensure that meaningful engagement occurs between local authority staff within their respective councils and between councils, particularly those within the same region, which would facilitate sharing of ideas, information, experiences, etc.	Case, Work
Examples of best practice on how to integrate processes would be helpful as they would provide a 'how to' rather than a 'how not to' approach – through updating SEA Portal or website.	Work
Provide adequate time to compile and assess the required data, and to review the elements of the plan as it is drafted. Make SEA less resource-intensive and more focused on key issues early in the process	Case, Quest, SEPA, Work
The resources of the statutory authorities should be expanded so that they can engage more in the SEA process at the various plan-making stages.	All
Document decision-making.	All

Key Recommendations

Update existing guidance on the SEA process, make it less tedious, stop duplication and make it more focused.

Training and awareness to engage decision-makers and the public and to provide them with knowledge on the benefits of SEA.

Provision of Best Practice Note/Guidance on effective integration.

Update guidance and provide a central database with all guidance from the various SAs.

Table 16: SEA Governance	Recommended By
Include a clause in the SEA Directive to make the implementation of SEA recommendations/mitigation more definitive than 'shall be taken into account'. Bring the requirements of the SEA Directive in line with the requirements of the Habitats Directive in so far as an SEA provides 'recommendations' and an Appropriate Assessment provides 'requirements'. Issue Circular Note on the key requirements of the SEA Regulations as they relate to Article 8 of the Directive on Decision Making, i.e. 'shall be taken into account …' and as transposed by the SEA Regulations.	Case, Work
The statutory authorities should have a governance/enforcement/oversight role to ensure that SEAs are carried out in accordance with the regulations. However, they should not look for requirements over and above those in the legislation, but rather ensure the achievement of best practice.	Case, Work
Statutory authorities or government departments should be given the power to 'sign off' or 'enforce' the findings of an SEA	Work
An independent body should review SEAs to monitor progress and implementation of the Directive	Case
The requirement to undertake monitoring and ensure monitoring is being undertaken needs to be enforced. EPA or some other body should request monitoring results and follow up monitoring report post-plan adoption as a legislative requirement.	Quest, SEPA, Case
Establish a national SEA Technical Forum (including NI representation) with associated Regional Fora.	Quest, SEPA, Work
Ensure consistency in responses from the various statutory authorities (inconsistency in responses from the NPWS was noted).	Quest, SEPA, Work
Ensure that all public authorities whose programmes are subject to SEA are included in SEA guidance circulation lists	Quest
Statutory authorities should be county or regionally based so that they understand local issues, as the national bodies can be too removed. Each region should have one SEA coordinator so that relationships can be built up between regional and local planning authorities. Linkages between statutory authorities should also be improved, possibly with the establishment of a single panel in order to ensure consistency.	Quest
Available statutory authority guidance on SEA should be amalgamated.	Quest
Update SEA regulations to reflect the organisational changes in national government as well as public notification of these changes (taken place as per circular PSSP 6/2011) and ensure plan-makers, SEA practitioners and statutory authorities are made aware of any updates, new guidance, etc.	Work

Table 16: SEA Governance	Recommended By
Statutory consultation periods should be extended beyond the current four week minimum, and consultation with a wider audience during scoping should be made mandatory.	Work

Key Recommendations

Governance: Increase regulatory role of statutory authorities or government departments to ensure SEA Statements, monitoring and mitigation are being undertaken.

Establish a National SEA/AA Technical Forum.

Legislative changes – clarify the legal interpretation of 'take into account'.

Increase the statutory consultation period to longer than four weeks.

Notes

Notes

An Ghníomhaireacht um Chaomhnú Comhshaoil

Is í an Gníomhaireacht um Chaomhnú Comhshaoil (EPA) comhlachta reachtúil a chosnaíonn an comhshaol do mhuintir na tíre go léir. Rialaímid agus déanaimid maoirsiú ar ghníomhaíochtaí a d'fhéadfadh truailliú a chruthú murach sin. Cinntímid go bhfuil eolas cruinn ann ar threochtaí comhshaoil ionas go nglactar aon chéim is gá. Is iad na príomhnithe a bhfuilimid gníomhach leo ná comhshaol na hÉireann a chosaint agus cinntiú go bhfuil forbairt inbhuanaithe.

Is comhlacht poiblí neamhspleách í an Ghníomhaireacht um Chaomhnú Comhshaoil (EPA) a bunaíodh i mí Iúil 1993 faoin Acht fán nGníomhaireacht um Chaomhnú Comhshaoil 1992. Ó thaobh an Rialtais, is í an Roinn Comhshaoil, Pobal agus Rialtais Áitiúil.

ÁR bhFREAGRACHTAÍ

CEADÚNÚ

Bíonn ceadúnais á n-eisiúint againn i gcomhair na nithe seo a leanas chun a chinntiú nach mbíonn astuithe uathu ag cur sláinte an phobail ná an comhshaol i mbaol:

- áiseanna dramhaíola (m.sh., líonadh talún, loisceoirí, stáisiúin aistrithe dramhaíola);
- gníomhaíochtaí tionsclaíocha ar scála mór (m.sh., déantúsaíocht cógaisíochta, déantúsaíocht stroighne, stáisiúin chumhachta);
- diantalmhaíocht;
- úsáid faoi shrian agus scaoileadh smachtaithe Orgánach Géinathraithe (GMO);
- mór-áiseanna stórais peitreail;
- scardadh dramhuisce.

FEIDHMIÚ COMHSHAOIL NÁISIÚNTA

- Stiúradh os cionn 2,000 iniúchadh agus cigireacht de áiseanna a fuair ceadúnas ón nGníomhaireacht gach bliain.
- Maoirsiú freagrachtaí cosanta comhshaoil údarás áitiúla thar sé earnáil – aer, fuaim, dramhaíl, dramhuisce agus caighdeán uisce.
- Obair le húdaráis áitiúla agus leis na Gardaí chun stop a chur le gníomhaíocht mhídhleathach dramhaíola trí comhordú a dhéanamh ar líonra forfheidhmithe náisiúnta, díriú isteach ar chiontóirí, stiúradh fiosrúcháin agus maoirsiú leigheas na bhfadhbanna.
- An dlí a chur orthu siúd a bhriseann dlí comhshaoil agus a dhéanann dochar don chomhshaol mar thoradh ar a ngníomhaíochtaí.

MONATÓIREACHT, ANAILÍS AGUS TUAIRISCIÚ AR AN GCOMHSHAOL

- Monatóireacht ar chaighdeán aeir agus caighdeáin aibhneacha, locha, uiscí taoide agus uiscí talaimh; leibhéil agus sruth aibhneacha a thomhas.
- Tuairisciú neamhspleách chun cabhrú le rialtais náisiúnta agus áitiúla cinntí a dhéanamh.

RIALÚ ASTUITHE GÁIS CEAPTHA TEASA NA HÉIREANN

- Cainníochtú astuithe gáis ceaptha teasa na hÉireann i gcomhthéacs ár dtiomantas Kyoto.
- Cur i bhfeidhm na Treorach um Thrádáil Astuithe, a bhfuil baint aige le hos cionn 100 cuideachta atá ina mór-ghineadóirí dé-ocsaíd charbóin in Éirinn.

TAIGHDE AGUS FORBAIRT COMHSHAOIL

- Taighde ar shaincheisteanna comhshaoil a chomhordú (cosúil le caighdéan aeir agus uisce, athrú aeráide, bithéagsúlacht, teicneolaíochtaí comhshaoil).

MEASÚNÚ STRAITÉISEACH COMHSHAOIL

- Ag déanamh measúnú ar thionchar phleananna agus chláracha ar chomhshaol na hÉireann (cosúil le pleananna bainistíochta dramhaíola agus forbartha).

PLEANÁIL, OIDEACHAS AGUS TREOIR CHOMHSHAOIL

- Treoir a thabhairt don phobal agus do thionscal ar cheisteanna comhshaoil éagsúla (m.sh., iarratais ar cheadúnais, seachaint dramhaíola agus rialacháin chomhshaoil).
- Eolas níos fearr ar an gcomhshaol a scaipeadh (trí cláracha teilifíse comhshaoil agus pacáistí acmhainne do bhunscoileanna agus do mheánscoileanna).

BAINISTÍOCHT DRAMHAÍOLA FHORGHNÍOMHACH

- Cur chun cinn seachaint agus laghdú dramhaíola trí chomhordú An Chláir Náisiúnta um Chosc Dramhaíola, lena n-áirítear cur i bhfeidhm na dTionscnamh Freagrachta Táirgeoirí.
- Cur i bhfeidhm Rialachán ar nós na treoracha maidir le Trealamh Leictreach agus Leictreonach Caite agus le Srianadh Substaintí Guaiseacha agus substaintí a dhéanann ídiú ar an gcrios ózóin.
- Plean Náisiúnta Bainistíochta um Dramhaíl Ghuaiseach a fhorbairt chun dramhaíl ghuaiseach a sheachaint agus a bhainistiú.

STRUCHTÚR NA GNÍOMHAIREACHTA

Bunaíodh an Ghníomhaireacht i 1993 chun comhshaol na hÉireann a chosaint. Tá an eagraíocht á bhainistiú ag Bord lánaimseartha, ar a bhfuil Príomhstiúrthóir agus ceithre Stiúrthóir.

Tá obair na Gníomhaireachta ar siúl trí ceithre Oifig:

- An Oifig Aeráide, Ceadúnaithe agus Úsáide Acmhainní
- An Oifig um Fhorfheidhmiúchán Comhshaoil
- An Oifig um Measúnacht Comhshaoil
- An Oifig Cumarsáide agus Seirbhísí Corparáide

Tá Coiste Comhairleach ag an nGníomhaireacht le cabhrú léi. Tá dáréag ball air agus tagann siad le chéile cúpla uair in aghaidh na bliana le plé a dhéanamh ar cheisteanna ar ábhar imní iad agus le comhairle a thabhairt don Bhord.

Front cover windfarm and oil-seed rape images © Cian O'Mahony

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