



Ministry  
of Defence

Sustainability & Environmental  
Appraisal Tools Handbook

## Section 3: Strategic Environmental Assessment



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## **How to use this guidance**

This guidance forms Chapter 3 of the MOD Sustainability and Environmental Appraisal Tool Handbook ('the Handbook'). It provides information on Strategic Environmental Assessments.

- [Section 3.1:](#) What is a Strategic Environmental Assessment?
- [Section 3.2:](#) Why Strategic Environmental Assessment is important?
- [Section 3.3:](#) When Strategic Environmental Assessment is required?
- [Section 3.4:](#) How to undertake a Strategic Environmental Assessment

## **Who is the guidance aimed at?**

This guidance provides a basic level of understanding to meet statutory and policy requirements within MOD and is targeted at Requirement Managers, Project Managers and Project Team Leaders.

### **Box 3.1 – SEA Guidance & Policy**

#### **SEA Guidance and Implementation:**

DIO Environmental Planning Team (EPT): [DIOSEE-EPSPEnvTeamWDC@mod.uk](mailto:DIOSEE-EPSPEnvTeamWDC@mod.uk)

#### **SEA Policy**

[JSP 850 – Infrastructure and Estate Policy](#) – Awaiting Publication. Please refer to [JSP 418](#).

FMC Capability Infrastructure: [FMC-Cap-InfraPolSustEste@mod.uk](mailto:FMC-Cap-InfraPolSustEste@mod.uk)

MOD is always seeking to learn from good practice to improve the ways that guidance is provided. Please email any **suggestions or feedback** to [DIOEUS-SusDevSpt@mod.uk](mailto:DIOEUS-SusDevSpt@mod.uk)

### **What is Strategic Environmental Assessment?**

- 3.1.1 Strategic Environmental Assessment is a multi-staged process that considers and manages the likely significant effects of a plan or programme on the environment. It is used to assess the extent to which the plan or programme will help achieve relevant environmental economic and social objectives. As a result it helps to contribute towards sustainable development.
- 3.1.2 The output of SEA is an Environmental Report (ER) which provides environmental information about a plan or programme. It examines effects on a range of environmental topics and also considers the inter-relationships between other plans and programmes. The ER will inform the decision as to whether the plan or programme should be adopted.

### **Why Strategic Environmental Assessment is important?**

- 3.2.1 SEA is a statutory requirement for certain plans and programmes. It provides the opportunity to identify and mitigate any potential significant adverse effects that the plan or programme might have. It also provides the opportunity for reasonable alternatives that contribute to improving environmental, social and economic conditions to be investigated.
- 3.2.2 SEA requires early and effective consultation with statutory bodies, the public and others identified in legislation. Consultees have the opportunity to influence the development of the plan or programme and reporting is required on how consultation responses have been taken into account. All plans and programmes and their SEA outputs are published.

### **When is Strategic Environmental Assessment required?**

- 3.3.1 Strategic Environmental Assessment (SEA) is a statutory requirement for certain plans and programmes which arises from European Directive [2001/42/EC](#) (the SEA Directive) (as amended) and enacted by national legislation.
- 3.3.2 SEA is only required for plans and programmes which are likely to have significant effects on the environment. This will be determined through SEA screening (see [Para 3.4.3](#)).
- 3.3.3 The requirement for SEA should be considered as early as possible in the plan or programme process.

### **What is a plan or programme?**

- 3.3.4 Most MOD proposals will not fall within the SEA Directive definition of a plan and programme. The name given to a proposal will not necessarily be an indication as to whether, or not, it is a plan or programme as defined by the SEA Directive.
- 3.3.5 The definition of a plan and programme is provided in the SEA Directive, Article 2(a):

*“plans and programmes shall mean plans and programmes, including those co-financed by the European Community, as well as any modifications to them:*

- *which are subject to preparation and/or adoption by and authority at national, regional or local level or which are prepared by an authority for adoption, through a legislative procedure by Parliament or Government, and*
- *which are required by legislative, regulatory or administrative provisions”*

3.3.6 This definition has been subject to interpretation in case law in the UK and in Europe but its interpretation is still not fully defined. For this reason careful consideration must be given to SEA screening (see [Para 3.4.3](#)) to avoid the risk of challenge or the undertaking of unnecessary assessments.

### **Which plans and programmes could be subject to SEA?**

3.3.7 The SEA Directive Article 3 paragraph 2 states that an environmental assessment shall be carried out for all plans and programmes:

- *which are prepared for agriculture, forestry, fisheries, energy, industry, transport, waste, management, water management, telecommunications, tourism, town and country planning or land use, and which set the framework for future development consent of projects listed in Annex I or II to Council Directive 85/337/EEC [EIA Directive, see Section 4], or*
- *which, in view of the likely effect on sites, have been determined to require an assessment pursuant to Article 6 of 7 of Directive 92/43/EEC [EC Habitats Directive, see Section 5].*

3.3.8 Plans and programmes referred to Article 3 paragraph 2 of the SEA Directive which determine the use of small areas at local level and also minor modifications to plans and programmes referred to in paragraph 2 require SEA only where they are likely to have significant environmental effects.

### **Which plans and programmes is SEA not applicable?**

3.3.9 Article 3 paragraph 8 of the SEA Directive states:

*“The following plans and programmes are not subject to this Directive:*

- *plans and programmes the sole purpose of which is to serve national defence or civil emergency,*
- *financial or budget plans and programmes”*

3.3.10 Most MOD plans and programmes will be solely for the purposes of national defence but the use of the defence exemption will be determined by the SoS for Defence. If the plan or programme is not subject to SEA because it is for the sole purpose is to serve national defence, careful consideration should be given to how the requirements of the Secretary of State for Defence [Policy Statement on Health, Safety and Environmental Protection](#) will be met.

### **How to undertake a Strategic Environmental Assessment**

- 3.4.1 The Senior Responsible Officer in charge of strategic planning and programme work has responsibility for ensuring that SEA is properly considered and undertaken for qualifying activities.
- 3.4.2 SEA must be undertaken by suitably qualified and experienced experts. DIO EPT will be able to assist with SEA screening, scoping and assessment in-house and/or assist with procurement and management of consultants to undertake SEA and the consultation process (see [Box 3.1](#)).
- 3.4.3 SEA is a four stage process:
- **Screening** - to determine the applicability of the SEA Directive to MOD proposals including the application of the defence exemption. SEA screening will need to be supported by a robust Sustainability Appraisal and a Screening/Judgement of Likely Significant Effect under the Habitats Regulations (See Section 2 and Section 5 of the Handbook). SEA Screening must be signed off by a delegated officer. SEA Screening will provide an audit trail to demonstrate consideration of SEA e.g. in the event of a freedom of information request or legal challenge.
  - **Scoping** – if screening concludes that SEA is required, scoping is the next stage in the SEA process to ascertain which effects are likely to be significant and that therefore require assessment.
  - **Assessment of the plan or programme and environmental reporting** - to consider in detail the alternatives considered, the likely significant effects, mitigations, monitoring requirements etc. The findings of the assessment are reported in the ER.
  - **Post adoption reporting** - to demonstrate how the assessment and outcomes from statutory and public consultations have been taken into account in the development of the plan or programme.
- 3.4.4 SEA is a public process requiring wide consultation throughout all its stages.

### **Cost and Timescales for an SEA**

- 3.4.5 The time taken to complete a SEA will depend on the nature of the plan or programme, the requirement to gather baseline data and the scope of the SEA. There are no statutory time-scales prescribed for the SEA stages or for consultation but the process to decision adoption could realistically take 6 to 24 months.
- 3.4.6 It is difficult to define a typical cost but carrying out a full SEA, could be as high, in the region of £500,000.

### **Quality Assurance**

- 3.4.7 It is important that the SEA is legally compliant, that robust methodologies are used and there is a high standard of presentation.

- 3.4.8 Consultants undertaking SEA should be suitably qualified and experienced experts. This would normally mean that individual assessors have a record of accomplishment of undertaking SEA and are members of professional bodies relevant to their specialisms. Assistance should be sought from DIO EPT (see [Box 3.1](#)) in procuring consultants to undertake SEA.
- 3.4.9 Failure to provide an appropriate quality of SEA can lead to challenge to the adoption of the plan or programme or to subsequent development consents and reputational damage to MOD.