

Chapter 10 The Next Steps

10.1 Introduction

- 10.1.1 This document relates to the first stage (Stage A) of the SEA process relating to the Derbyshire Local Transport Plan 3. As previously shown in table 2.3, reproduced as Table 10.1 below there are four further stages to be undertaken. Three of these, Stages B,C and D have to be completed before the Plan is published i.e. before March 2011. Stage E is undertaken during the Plan's implementation. This Chapter provides further detail about these stages and to how the effects of the Plan will be predicted and evaluated.

Table 13.1 Key Stages for Strategic Environmental Assessment of the Derbyshire LTP

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| Stage A | Setting the context and objectives, establishing the baseline and deciding on the scope |
| Task A1 | Identifying other relevant plans, programmes and Environmental protection objectives |
| Task A2 | Collecting baseline information |
| Task A3 | Identifying environmental problems |
| Task A4 | Developing SEA objectives |
| Task A5 | Consulting on the scope of the SEA |
| Stage B | Developing and refining alternatives and assessing effects |
| Task B1 | Testing the plan objectives against SEA objectives |
| Task B2 | Developing strategic alternatives |
| Task B3 | Predicting the effects of the draft plan, including alternatives |
| Task B4 | Evaluating the effects of the draft plan, including alternatives |
| Task B5 | Considering ways of mitigating adverse effects |
| Task B6 | Proposing measures to monitor the environmental effects of Plan implementation |
| Stage C | Preparing the Environmental Report |
| Task C1 | Prepare the Environment Report with information as required in Article 5 and Annex 1 of the SEA Directive |
| Stage D | Consulting on the draft plan and Environment Report |
| Task D1 | Consult on the draft Plan and Environmental Report |
| Task D2 | Assess significant changes |
| Task D3 | Make decisions and provide information |
| Stage E | Monitoring the significant effects of implementing the Plan on the environment |
| Task E1 | Developing aims and methods for monitoring |
| Task E2 | Responding to adverse effects |

Source: Department for Transport WEBTAG 2.11 Strategic Environmental Assessment for Transport Plans and Programmes 2009

10.2 Stage B Developing and refining alternatives and assessing effects

- 10.2.1 Chapters 3 to 9 of this document have identified the challenges that we need to consider in this second stage of the SEA. Within those chapters we have also identified opportunities for improvements or enhancements that should be considered for inclusion within the Plan. We also set out data gap projects where we intend to undertake further research into possible challenges for the Plan to consider.

Stage B1 Testing the plan objectives against the SEA objectives

- 10.2.2 This stage, as the title suggests, involves a process to test the Derbyshire LTP3 objectives against the SEA objectives. This will identify any potential synergies or inconsistencies. This will allow us to refine or develop further any objectives. We will also test our Derbyshire LTP objectives against each other to identify whether they are likely to create environmental effects. The draft objectives are included at the end of each of the topic chapters. The complete list is shown in paragraph 2.3.16 of Chapter 2.

Stage B2 Development of strategic alternatives

- 10.2.3 At this stage we need to develop reasonable alternatives (or options as they are referred to within the LTP guidance) for the Plan against which we will assess the environmental effects of these. This stage of the SEA is integral to the LTP development as alternatives are developed and refined as necessary to develop the final draft Plan.
- 10.2.4 We have consulted widely about the key challenges and possible strategic alternatives that we could consider for the third LTP. Following the consultation, although we will have a clearer idea of the alternatives we are to consider, the development of alternatives will be an iterative process. As we assess the environmental effects of the alternatives, we will consider whether we can amend the Plan's objectives to avoid any predicted environmental effects that we come across. If this cannot be done, we will try to reduce the predicted effects and if this too cannot be done, seek to compensate (mitigate) for the predicted effects.
- 10.2.5 The development of alternatives will require a 'without plan' option. This is difficult to set out as we have a Statutory Duty to produce a LTP. However, the Department for Transport's Webtag 2.11 sets out some guidance about this which says that this alternative should be based upon current Government policies; assume that other adopted plans will be delivered as planned; assume continued implementation of LTP2; but do not assume any new measures or strategies, even if these appear essential in light of current Government policies.
- 10.2.6 All alternatives that we have considered and those that we have eliminated will be documented (as required by the SEA Directive). If there are any reasonable alternatives that we have not considered, we will provide a robust justification for this.

Stage B3 Predicting environmental effects

- 10.2.7 This stage will seek to identify the changes to the conditions from each of the alternatives that are predicted to arise over and above the 'without the plan' scenario. As listed in Webtag 2.11, these changes will be described in terms of their magnitude; spatial coverage and scale; the time period over which they will occur; whether they are permanent or temporary; positive or negative; probable or improbable; frequent or rare; and whether there are any secondary, cumulative and/ or synergistic effects. We will quantify these predictions where possible, but it is likely due to the evidence available that we will in many cases rely on professional judgements. Where this is the case we will provide all reasoning behind the judgements. This will provide the basis for the next step, which is to evaluate the impacts significance. Webtag 2.11 also provides guidance about dealing with uncertainty in prediction and evaluation which we will use to ensure our judgements are as precise as possible.

Stage B4 Evaluating environmental effects

- 10.2.8 The evaluation step involves a judgement to whether or not the predicted effect is likely to be significant. Annex II of the SEA Directive provides criteria for determining the likely significance of effects as referred to in Article 3(5) of the Directive. This criteria is reproduced in Table 10.3 below.

Table 10.3 Criteria for determining the likely significance of effects

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| <ol style="list-style-type: none">1. The characteristics of plans and programmes, having regard, in particular to<ul style="list-style-type: none">• the degree to which the plan or programme sets a framework for projects and other activities, either with regard to the location, nature, size and operating conditions or by allocating resources,• the degree to which the plan or programme influences other plans and programmes including those in a hierarchy,• the relevance of the plan or programme for the integration of environmental considerations in particular with a view to promoting sustainable development,• environmental problems relevant to the plan or programme,• the relevance of the plan or programme for the implementation of Community legislation on the environment (e.g. plans and programmes linked to waste-management or water protection).2. Characteristics of the effects and of the area likely to be affected, having regard, in particular, to<ul style="list-style-type: none">• The probability, duration, frequency and reversibility of the effects,• The cumulative nature of the effects,• The transboundary nature of the effects,• The risks to human health or the environment (e.g. due to accidents),• The magnitude and spatial extent of the effects, (geographical area and size of the population likely to be affected)• The value and vulnerability of the area likely to be affected due to:<ul style="list-style-type: none">▪ Special natural characteristics or cultural heritage,▪ Exceeded environmental quality standards or limit values,▪ Intensive land-use,• The effects on areas or landscapes which have a recognised national, Community or international protection status. |
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Stage B5 Mitigating adverse effects

- 10.2.9 After we have evaluated the effects of the Plan; should we have identified significant adverse environmental effects, we will consider measures to prevent, reduce or offset these. In addition, we will also consider where we can take measures to proactively reduce adverse effects that have been identified as not considered significant, or where we have identified the Plan could proactively enhance beneficial effects further. Mitigation can be in a number of forms, such as changing the alternatives by adding, deleting or refining measures; identifying completely new alternatives; setting out technical measures to be adopted at the implementation stage e.g. design principles; identifying issues to be assessed in more detail for certain projects; or suggest proposals for changing other plans and programmes.

Stage B6 Monitoring the environmental effects of the Plan's implementation

- 10.2.10 The SEA Directive, Article 10, requires that the significant environmental effects are monitored. This will be closely tied in with the development of the objectives for the SEA and LTP through the development of environmental performance indicators. Monitoring of these will enable the County Council to ascertain whether the significant effects occur as predicted or to whether unforeseen effects arise.

10.3 Stages C & D Preparing and consulting upon the environmental report

10.3.1 This stage of the SEA collates the information from Stages A and B into a formal Environmental Report. Following the production of our Environmental Report, we will consult on our findings alongside a draft of our Derbyshire Local Transport Plan. A non-technical summary will also be made available at this stage. All responses to this consultation will be recorded and taken into account, with the resulting decision making documented. If the Plan changes significantly between the draft stage and the final stage, it may be necessary to produce a revised Environmental Report.

10.3.2 Annex I (f-i) lists the information to be provided within the Environmental Report, as detailed in Table 10.4 below:-

Table 10.4 Information to be provided within the Environmental Report

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| <ul style="list-style-type: none"> • The likely significant 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. These effects should include secondary, cumulative, synergistic, short, medium and long-term permanent or temporary, positive and negative effects • The measures envisaged to prevent, reduce and fully as possible offset any significant adverse effects on the environment of implementing the plan or programme • An outline of the reasons for selecting the alternatives dealt with, and a description of how the assessment was undertaken including any difficulties (such as technical deficiencies or lack of know-how) encountered in compiling the required information • A description of the measures envisaged concerning monitoring in accordance with Article 10 |
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10.3.3 The Department for Transport's Webtag Unit 2.11 sets out a possible structure for the Environmental Report, which we will use as a model. This is reproduced in Table 10.4 below.

Table 10.4 Possible Structure for the Environmental Report

| Structure of report | Information to include |
|--------------------------------------|---|
| Non-technical summary | <ul style="list-style-type: none"> • Non-technical summary of the SEA process, and the likely significant effects of the Plan • What difference has the process made? • How to comment on the report |
| Methodology used | <ul style="list-style-type: none"> • Who carried out the SEA, how, who was consulted, and when etc • Difficulties in collecting data or assessment |
| Background | <ul style="list-style-type: none"> • Purpose of the SEA and integration with NATA • Plan objectives |
| SEA Objectives, baseline and context | <ul style="list-style-type: none"> • Coverage of the Environmental Report with respect to plan components (e.g. relationship to appraisals for major and minor schemes in an LTP) • Links to other plans, programmes and relevant environmental protection objectives, and how they have been incorporated • Baseline environmental data, including the future baseline without the plan • Existing and foreseeable future environmental problems • Limitations of the data, assumptions etc • SEA objectives, targets and indicators |
| Plan issues and alternatives | <ul style="list-style-type: none"> • Description of significant environmental effects of the strategies • Table for each strategy/ alternative and links to the NATA Appraisal Summary Tables • How environmental problems were considered in developing the strategies and choosing the preferred alternatives • Other alternatives considered, and why these were rejected • Proposed mitigation and enhancement measures to deliver objectives |
| Implementation | <ul style="list-style-type: none"> • Links to project environmental impact assessment, design guidance etc • Proposals for monitoring and reporting |

- 10.3.4 Once the final Derbyshire LTP has been produced using the results from the public consultation about the Environmental Report, an Environmental Statement must be produced which states how the County Council has taken the findings into account. This should set out:-
- How environmental considerations have been integrated into the plan or programme
 - How the environmental report has been taken into account
 - How the opinions and consultation responses have been taken into account. The summary should be sufficiently detailed to show how the plan was changed to take account of issues raised, or why no changes were made.
 - The reasons for choosing the plan as adopted in the light of other reasonable alternatives dealt with.
 - The measures that are to be taken to monitor the significant environmental effects of implementation of the plan or programme. The Environmental Report will already have documented proposed measures concerning monitoring; these can now be confirmed or modified in the light of consultation responses.

10.4 Monitoring the SEA

- 10.4.1 Once the monitoring measures have been set out within the Environmental Statement, they will be built into the authorities' performance and risk management regime. The ongoing governance of this will be through our Strategic Performance Review Group and the Environmental Group as set out in Figure 2.2 in Chapter 2.
- 10.4.2 The ongoing monitoring will need to consider responding to adverse effects. This will require the authority to consider setting criteria or thresholds for remedial action; potential remedial actions available; and putting in place mechanisms for working with those responsible for undertaking such remedial action.