Effectiveness of Strategic Environmental Assessment: The
application of Directive 2001/42/EC to the 2007-2013 EU Structural
Funds programmes

by

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with the regulations of the University of East Anglia

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of the dissertation.
ABSTRACT

This study attempted to evaluate effectiveness of the Strategic Environmental Assessment (SEA) Directive in EU Member States (MSs) with respect to its application on programmes funded by the 2007-2013 Structural Funds (SFs). Overall effectiveness was evaluated for MSs while substantive and transactive effectiveness were explored in the two UK regions of West Wales and the Valleys (WWV) and the East of England (EE). Research objectives were answered through the collection and analysis of qualitative data. The main data-source included perspectives of SEA- and SF-pertinent department officers while document information and participant observation complemented these. The regions of WWV and EE appeared to have achieved substantive effectiveness in terms of integrated decision-making while transactive effectiveness (resource-efficient SEA) was also evident to a certain extent. The positive case study results were explained by the regional idiosyncrasies observed and it was argued that certain features of SEA application in either case could be considered as best-practice examples. Overall MS effectiveness, i.e. whether the SEA Directive worked well and added value, was not found to be achieved. This was attributed to a number of interlinked factors including procedural compliance and political influence as well as the research methods employed to evaluate effectiveness.
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<tr>
<td>DG-ENV</td>
<td>Directorate General for EU Environmental Policy</td>
</tr>
<tr>
<td>DG-REGIO</td>
<td>Directorate General for EU Regional Policy</td>
</tr>
<tr>
<td>EAGGF</td>
<td>European Agricultural Guidance and Guarantee Fund</td>
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<tr>
<td>EC</td>
<td>European Commission</td>
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<td>EE</td>
<td>East of England</td>
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<td>EIA</td>
<td>Environmental Impact Assessment</td>
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<td>ENEA</td>
<td>European Network of Environmental Authorities</td>
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<td>ERDF</td>
<td>European Regional Development Fund</td>
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<td>European Social Fund</td>
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<td>FIFG</td>
<td>Financial Instrument on Fisheries Guidance</td>
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<td>MS</td>
<td>Member State</td>
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<td>OP</td>
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<td>SEA</td>
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<td>SF</td>
<td>Structural Fund</td>
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<td>WWV</td>
<td>West Wales and the Valleys</td>
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The world has changed.
I feel it in the water,
I feel it in the earth,
I smell it in the air
J.R.R. Tolkien, 1925—

...It turned out that the carbon dioxide and other gases we were producing in our pursuit of a better life – in pursuit of warm houses and eternal economic growth...could alter the power of the sun, could increase its heat. And that increase could change the patterns of moisture and dryness, breed storms in new places, breed deserts.
Bill McKibben, 2003

The acknowledgement that mankind has inflicted ‘changes’ on the natural environment has come a long way from its allegorical delivery through fictional books as early as the 1920s to the explicit messages found in books today, such as Bill McKibben’s “The end of nature”.

Environmental Assessment plays a pivotal role in minimising changes and damage to the environment caused by human activity.
CHAPTER 1 – PROJECT BACKGROUND AND FRAME

1.1 Introduction
This dissertation begins by setting the scene for developing the research objectives. Arguments surrounding Strategic Environmental Assessment (SEA) and SEA Directive effectiveness lead up to the outline of the project’s aims. The subsequent chapters include the research methods employed and justification of use (chapter 2), the results and analysis of the data obtained (chapter 3) and a discussion of the findings and their political, social and research implications (chapter 4).

1.2 The emergence of SEA
Strategic Environmental Assessment emerged alongside Environmental Impact Assessment (EIA) and practice of different SEA-type systems occurred no later than that of EIA processes (1970) (Dalal-Clayton and Sadler, 2005). However, SEA was not formalised, i.e. “instituted by countries and international agencies” (Dalal-Clayton and Sadler, 2005, p.28), until the 1990s and only in the early 21st century did it become a legal instrument in the EU (Therivel, 2004). This occurred as a result of the realisation of its potential to overcome EIA’s drawbacks by considering the environment earlier in the decision-making process (Dalal-Clayton and Sadler, 2005; Glasson et al., 2005; Partidario, 1999).

Partidario (1999, p.62) defines SEA as:

“…a systematic, on-going process for evaluating, at the earliest appropriate stage of publicly accountable decision-making, the environmental quality, and consequences, of alternative visions and development intentions incorporated in policy, planning or programming initiatives, ensuring full integration of relevant biophysical, economic, social and political considerations”.

The definition highlights the aims and principles of state-of-the-art SEA. Its ultimate aim is to help protect the environment and promote sustainability (Therivel, 2004). SEA contributes to this by attempting to integrate environmental (and socio-economic) issues into the decision-making process at the policy, plan and programme (PPP) level. Various forms of SEA or para-SEA are practiced internationally (Dalal-
Clayton and Sadler, 2005; Partidario and Clark, 2000; Therivel, 2004) but certain
SEA systems, such as the United Nations Economic Commission for Europe
(UNECE) SEA Protocol and the EU SEA Directive (see below) have become widely
adopted by many countries (Therivel, 2004). A pan-European approach that puts in
place a coordinated and consistent systematic process for including environmental
issues throughout is believed to be embodied by the Directive which can bring SEA-
type assessments under one umbrella (Dalal-Clayton and Sadler, 2005; Imperial
College Consultants Ltd. et al., 2001).

1.3 The SEA Directive
As part of its commitment to integrating the environment into the higher tiers of
decision-making, the EU introduced the SEA Directive (2001/42/EC) which requires
Member States (MSs) to carry out an assessment of the effects of certain plans and
programmes on the environment.

The aims of the SEA Directive are similar to the aims highlighted in the Partidario
SEA definition (and its variants) (Therivel, 2004): (i) a high level of environmental
protection, (ii) integrated environmental decision-making and (iii) Sustainable
Development (SD). The SEA Directive states that it aims 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 with a view to
promoting sustainable development.” (European Parliament and Council
of the European Union, 2001, p.32),

thus delineating three objectives (although the third issue of SD is arguably not an
objective as such due to the equivocal wording in the Directive text (Therivel,
2004)).

Although the first official proposal for the SEA Directive was issued by the European
Commission (EC) as early as 1996, the text was not agreed until June 2001
(Feldmann, 1998; Sheate, 2003). The Directive was a result of intense negotiations
and a lengthy gestation but was eventually eagerly welcomed by environmentalists,
the European Commission and Parliament and less so by the MSs (Glasson et al.,
2005; Sheate, 2003; Smith and Sheate, 2001). Therivel and Walsh (2006) note that only nine (out of fifteen, in 2001 when the Directive was adopted) MSs transposed the Directive into national legislation on time, possibly owing to political unwillingness and/or lack of capacity for implementation. Partidario and Clark (2000, p.4) emphasize the ‘impracticalities’ of SEA that might be hindering sound implementation:

“The complexity of the processes associated to SEA, the consequent need for additional resources, the fact that it is often indicated as having little added value in relation to project EIA, are some of the factors that are limiting. Practitioners of SEA frequently find themselves searching for the indisputable arguments that can justify the added value of SEA.”

The additional resources and effort necessary to complete the SEA task obligated by the Directive (Parker, 2007 pers. comm.) could only be justified, given that positive outcomes emanate from its application (Therivel and Minas, 2002). The argument for the need of inquiry into resource efficiency is strengthened if one considers Schucht’s (2001) assertion that efficiency, in terms of financial resources, time and skills, is a precondition for effective implementation (i.e. meeting stated goals) of the Directive.

Scepticism also persists over the Directive’s potential, not least because experience in its application to date has shown that environmental integration is not guaranteed (Therivel and Minas, 2002; Therivel and Walsh, 2006). A ‘post-Directive’ UK survey by Therivel and Walsh (2006) revealed that 18% of SEAs carried out by local authorities for plans led to no changes in the final plans, which raises the question of whether the Directive is truly making a difference.

By comparison, however, a 2001 ‘pre-Directive’ survey showed a figure of around 30% SEA-type assessments that seemed to have no influence on the pertinent plans (Therivel and Walsh, 2006). This figure acts as an advocate to the Directive’s effectiveness.

Nevertheless, the potential of the SEA Directive and SEA in general in incorporating environmental considerations in the decision-making process is also widely recognised (Dalal-Clayton and Sadler, 2005; Feldmann, 1998; Imperial College
Consultants Ltd. *et al.*, 2001; Partidario and Clark, 2000; Sheate 2003; Sheate *et al.*, 2003; Therivel, 2004). Several pioneers of SEA theory argue for its ‘value added’ (Dalal-Clayton and Sadler, 2005; Partidario and Clark, 2000; Sheate *et al.*, 2003; Therivel, 2004) while initiators and contributors of the Directive sublimate the legislative tool (Feldmann, 1998; Feldmann *et al.*, 2001). Furthermore, countries and organisations outside EU influence, such as the South Asian Association for Regional Cooperation (SAARC) and the Association of Southeast Asian Nations (ASEAN), it is suggested, stand to benefit from the EU example by creating a similar SEA legislative tool (Alshuwaikhat, 2005).

At a time when SEA needs little more to become ingrained as a necessity in decision-making and when the EU SEA Directive in particular serves as a prototype to other nations, it is logical to reflect on whether the Directive achieves its purpose. The argument for the need to examine the difference the Directive has made is strengthened by the fact that areas of decision-making previously exempt from its influence are progressively being subjected to its requirements. The most prominent example is the application of the SEA Directive to the 2007-2013 programmes developed under the Structural Funds (SFs), the main financial instrument for the EU Cohesion Policy promoting economic and social cohesion.

1.4 SEA applied to Structural Funds
When the SEA Directive was first adopted, its scope did not extend to plans and programmes receiving grants from the EU SFs. During preparation of the Directive, despite expressed discontent from the Commission and NGOs with the Common Position, the final draft of the Directive stated explicitly that the PPs co-financed under the then SF programming period (2000-2006) would be excluded from the scope of application (Directive 2001/42/EC Art. 3(9)). However, the stated requirement to report on the relationship between the SFs and the Directive implied that application would extend to future programming periods (Sheate, 2003) as is the case today. Box 1.1 below provides a summary about the operation of the SFs.
It would be expected that such a large amount of funding, targeting economic and social regional development, would fuel damaging PPs. Therefore, the introduction of the SEA Directive to the Structural Funds (Council Regulation (EC) No.1083/2006) might be perceived as a timely solution for relieving the strain that the programmes might be putting on Europe’s natural environment.

Application of the Directive to SF programmes is a big step in the attempt to integrate the environment into all EU policies, in line with the principles and goals set out at the Cardiff and subsequent Summits (See Box 1.2). Sheate (2003, p.332) asserts that

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Box 1.1: The Structural Funds and how they operate:
The Structural (and Cohesion*) Funds** are the EU’s main instruments for delivering EU regional and cohesion policy and they support social and economic restructuring across the EU by funding Operational Programmes (OPs). They do this through actions such as developing infrastructure and telecommunications, developing human resources and supporting research and development. At present, four Structural Funds allow the European Union to grant financial assistance to resolve structural economic and social problems:
- the European Regional Development Fund (ERDF);
- the European Social Fund (ESF);
- the ‘Guidance’ part of the European Agricultural Guidance and Guarantee Fund (EAGGF); and
- the Financial Instrument on Fisheries Guidance (FIFG)

The Funds contribute to achieving three objectives: Convergence, Competitiveness and Employment and European Territorial Cooperation (ETC). The ERDF specifically contributes to all three objectives. Its priorities include research, innovation, environmental protection and risk prevention, while infrastructure investment retains an important role, especially in the least developed regions.

Based on a regional Gross Domestic Product (GDP) below 75% of the EU average, regions are eligible for the Convergence objective while all other regions have access to the Competitiveness and Employment objective. Geographic eligibility of regions under the ETC objective concerns either cross-border regions or those belonging to trans-national cooperation areas and it is based on a Commission decision. The Convergence and Competitiveness regions attract the most funding while between the two the former attracts substantially more funds.

The SFs have been operating since 1989 when the first round of programmes began and they are currently financing the fourth round, the 2007-2013 programming period. The current Funds make up a significant proportion of the European Community Budget – €347 billion of the total EU budget (current prices).

* The Cohesion Fund only applies to MSs with a Gross National Income (GNI) of less than 90% of the Community average, i.e. it covers the new MS and some old members,
** ‘Funds’ will refer to both the Cohesion and SFs.

Sources: Daman, 2006; DTI 2007; DG REGIO, 2007
the “Directive has been a significant achievement for environmental integration, consistent with the ongoing Cardiff process, but needs to be seen against the backdrop of the recent dominance of the economic and social agendas of the Lisbon process”. It would appear that the Cardiff and Lisbon processes are incompatible and that a real synergy between environmental and regional policies is close to impossible (Bradley, 1999). However, the compiling of evidence that the SEA Directive is indeed delivering environmental integration could suggest otherwise. The application of SEA (promotion of the Cardiff process) to PPs developed under the Structural Funds (promotion of the Lisbon process) constitutes appropriate and topical evaluation research that could contribute to supporting or disproving the argument that the two EU agendas cannot coexist. SEA as applied to programmes for West Wales and the Valleys, a Convergence region, and the East of England, a Competitiveness and Employment region, is explored.

1.5 Ex-ante evaluation and beyond

It is a fact that environmental assessment is not a wholly new concept for the SF PPs. Potential adverse effects of PPs, were anticipated somewhat earlier and ‘integration’ mechanisms were developed. Following the first round of Structural Funds (1989-1993), litigation against the Commission1 and recognition that certain PPs were considerably damaging led to the requirement of a mandatory ‘environmental appraisal’ of MS’s then Regional Development Plans (RDPs) and the obligatory submission of ‘sufficient environmental baseline information’ for Operational Programmes (OPs) (Council Regulation (EEC) No.2081/93) (Bradley, 1999; Glasson, 1995; Feldmann, 1998; Sheate, 2003). This initial introduction and subsequent

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1 E.g. An Taisce and WWF v Commission of the European Communities, European Court of First Instance, Case no. T-461/93 (Sheate, 2003).
elaboration of a requirement to conduct an environmental appraisal of SF PPs led to application of the ‘ex-ante evaluation’ mechanism. Ex-ante evaluation was applied for the previous programming period (2000-2006) as an evaluation tool that incorporated an economic, a social and an environmental analysis of impacts (DG-REGIO, 1999; Clement, 2001). The 2007-2013 programming period is characterised by the addition of SEA to ex-ante evaluation, rather than its abandonment altogether, wherein SEA explicitly covers environmental issues while the remaining component of the evaluation mechanism covers socio-economic issues.

The effectiveness of quasi-strategic environmental assessment methods practiced prior to SEA and their implications for the pertinent PPs are relatively well-known to the practitioners and within the literature (Bradley, 1999; Clement, 2001) through hindsight. They are perceived as having contributed to an incremental but continual process of improvement in the degree of environmental achievement in the SFs (Clement, 2001). Although several SEA benefits are anticipated, the actual effect of application of SEA to the SF PPs has not yet been addressed due to the issue’s topical nature. Exploring the added value, or lack thereof, of this application would be essential to supporting or contradicting the argument that the EU advances effective environmental legislation (Glachant, 2001). Evaluating this new development in EU regional and environmental policy could also determine whether the introduction of a formal requirement for SEA in the SFs is a significant upgrade in integration of the environment or a mere step towards supranationalism that forces SEA to conform to various decision-making processes to which it does not fit. Section 1.2 of this chapter highlighted that there are varied approaches to SEA worldwide – this also holds true within Europe (Dalal-Clayton and Sadler, 2005) – as there are varied planning systems between regions (see section 1.7.2 below). Rationalising SEA into “highly contained perspectives” that would only fit into some decision-making frameworks would limit the potential of SEA to influence decision-making (Partidario and Clark, 2000, p.8). An evaluation of substantive effectiveness would explore the degree of influence on decision-making and would subsequently shed some light on whether application of the Directive to OPs can adjust to the idiosyncrasies of the respective planning systems and decision-making processes.
1.6 Project aims
In acknowledgement of the mixed attitudes observed towards the SEA Directive, the novelty of its extended scope to SF programmes and the need to determine whether it adds value, the researcher outlines three research objectives:

Overall research objective:
1. Evaluate overall effectiveness in EU MSs: aims to address whether implementation of the SEA Directive for the programmes of the 2007-2013 Structural Funding period has been effective overall in MSs.

Sub- objectives:
2. Evaluate substantive effectiveness in two UK regions: aims to address whether the Directive objective of integrated environmental decision-making has been achieved as a result of its implementation for the 2007-2013 SF programmes.

3. Evaluate transactive effectiveness in two UK regions: aims to address whether or not the desired objectives were achieved in an efficient way as a result of Directive implementation for the 2007-2013 SF programmes.

The overall research objective takes a holistic approach to effectiveness and aims to answer questions such as, ‘how well does the SEA Directive work?’, ‘does it add value?’ as perceived from experience in several MSs. Objectives two and three, on the other hand, tackle two separate components of effectiveness in two specific regions: West Wales and the Valleys and the East of England. All three objectives are explored with respect to ERDF programmes. It must be emphasised that the two sub-objectives do not aim to answer the overall objective; rather, findings from one can complement or contradict findings from the other.

The following section defines certain recurring terms and themes within the project and determines where the project boundaries are drawn.

1.7 Project boundaries

1.7.1 Effectiveness:
Measuring effectiveness of Environmental Assessment policy received attention in the mid-1980s but “there has been no reliable quantification of effectiveness for
Environmental Assessment” (Baker and McLelland, 2003, p.582) and consequently no overall judgement about any Environmental Assessment system (Wood, 2003). Despite these difficulties, progress has been made in the areas of effectiveness with studies such as the International Study of the Effectiveness of Environmental Assessment (Sadler, 1996) which could be considered a milestone for defining effectiveness and devising criteria to measure it. Since then, there have been several more attempts to quantify effectiveness of both EIA and SEA through the criteria-based assessment (Fischer and Gazzola, 2006).

Sadler (1996, p.37) defines effectiveness as “how well something works or whether it works as intended and meets the purposes for which it is designed”. Sadler distinguishes between three types of effectiveness:

- “Procedural – Does the EA process conform to established provisions and principles?
- Substantive – Does the EA process achieve the objectives set, e.g. support well-informed decision-making and result in environmental protection?
- Transactive – Does the EA process deliver these outcome[s] at least cost in the minimum time possible, i.e. is it effective and efficient?”

Others differentiate between just two types (procedural and substantive) while emphasising that factors, such as the decision-making approach adopted and the actors involved, constitute determining variables of the outcomes of the EA (Cashmore et al., 2004; Jay et al., 2007; Pölönen, 2006; Wood, 2003). Baker and McLelland (2003) include yet a fourth type – normative efficacy – that inquires into what normative goals were realised as a result of application. This plurality in defining and measuring effectiveness necessitates a clear statement of the researcher’s interpretation of effectiveness in evaluative research (Cashmore et al., 2004), therefore, the researcher determines what constitutes an effective SEA Directive. Sadler’s (1996) definition of effectiveness is used to tackle the overall objective. The least-researched types of effectiveness – substantive (Cashmore et al., 2004; Jay et al., 2007) and transactive (Glachant, 2001; Therivel, 2004; Wood, 2003) – are both investigated as sub-objectives based on the following assumptions:
**Substantive effectiveness:** The implementation of the SEA Directive for the SF programmes is substantively effective if it meets the Directive objective of integrated environmental decision-making.

Achievement of the Directive’s other objectives of a high level of environmental protection and sustainable development are not measured due to the small scale of the study, the elusive nature of sustainable development (O’Riordan, 2000) and the immaturity of application of SEA to these programmes.

**Transactive effectiveness:** Implementation of the Directive for the SF programmes is transactively effective if the Directive objectives are met at the least cost, in the minimum time possible and with the use of the most appropriate skills for the process.

Because of the difficulty in making an assessment on whether desired outcomes were achieved at least cost etc., a comparison of resource allocation as done within the old ex-ante evaluation regime was attempted, wherever it was possible to acquire information on this ‘redundant’ impact assessment mechanism.

1.7.2 **Implementation**

Unlike conventional implementation of national policies that apply directly to their relevant subjects, implementation of EU Directives becomes particular to each MS (Glachant, 2001). This is due to the fact that EU implementation is a two-stage process, requiring firstly the transposition of the Directive into national law and secondly activities enabling its application (enforcement, monitoring, etc.). This means that differences in implementation are expected to arise between countries, even regions because of differing administrations (Glachant, 2001; Jordan and Liefferink, 2004; McCormick, 2001). Hence the use of the wording “effectiveness of implementation” in the research objectives and not merely “effectiveness of the Directive”. The reference to implementation should not be misunderstood as an intended investigation into the administrative compliance of the regions studied; rather, it is an investigation of whether the implementation outcomes meet the desired environmental goals.
1.7.3 Decision-making

Decision-making is a central theme within the project. SEA is inherently a part of politics because it seeks to affect decision-making (Dalkmann et al., 2004) as does the SEA Directive, through the participation of environmental authorities and the public, whose contribution is expected to influence decisions. In order to evaluate effectiveness, naturally, decision-making processes and the effect of the aforementioned actors on these were explored. Recommendations for establishing a stronger link between SEA and decision-making are discussed as part of the findings of this dissertation, however the scale of the project did not allow for further elaboration on decision-making theory as a concept in its own right.
CHAPTER 2 – METHODOLOGY

2.1 Introduction
This chapter presents the methods undertaken to meet the project objectives. The research focuses on effectiveness of the SEA Directive across the EU but central to the research was the experience of Directive application in the two cases of West Wales and the Valleys and the East of England. This case study approach adopted is closely in line with Yin’s (2003) description of what a case study research design should be; it includes what data are to be collected, how they are to be collected and how they are to be interpreted. The researcher also considers the implications of the methods used at the end of this chapter.

2.2 The research design
The bones of the research design were decided upon at the earliest stage possible, during development of, and following feedback from, the submitted research proposal. The design gained full form once exploration in the environment of interest began, when better understanding of the organisational structure and functions of the bodies involved in the application of the SEA Directive to the ERDF OPs was possible. Figure 2.1 depicts the main elements of the research design and explains how it developed.

It must be emphasised that the development of theory was essential throughout the realisation of the research design. The researcher’s understanding of the various dimensions of the project formed the basis of the choice of data to be collected and the choice of method to analyse them.
2.3 Case study approach

The breadth of the first research objective and the limited project time-frame dictated a more holistic approach whereby EC official perceptions were tapped in order to answer this research question (section 2.4.1 below).

The case study approach was deemed the most appropriate to tackle research objectives two and three. It enabled an in-depth analysis on the Directive’s effectiveness in the two regions and a familiarisation with the manner of implementation, the actors involved and their tasks as well as the way in which decisions were made concerning the SEA and the OP. Characteristics of the study justified the use of case studies according to literary research criteria: it is contemporary, it deals with evaluation questions, the investigator has no control over the events, it involves the collection of data about what is going on (empirical study).
and it inquires into a phenomenon in its context (Patton, 1987; Robson, 1993; Yin, 2003).

The use of two case studies was judged to be appropriate given the short timescale for completion and the possibility of detecting a pattern through comparison of two differing cases. Advice from two EU officials within DG-REGIO\(^2\) guided the selection of West Wales and the Valleys and the East of England as contrasting cases to be studied. This would allow comparison between two regions receiving differing amounts of funding (boxes 3.1 and 3.2, chapter 3) and exploration of divergent administrative systems and other regional characteristics as defining variables of effectiveness.

**2.4 Data collection**

A conceptualisation of the application of the Directive to SF programmes helped determine what information was required for the project (Figure 2.2). It is assumed that an understanding of the concepts and gathering of the information listed in the boxes in Figure 2.2 enable the researcher to determine whether the ‘equation’ in the figure is true i.e. whether the outcome is indeed overall effectiveness of Directive implementation in MSs (objective one), integrated environmental decision-making (objective two) and efficient delivery (objective three) in the two British cases.

\(^2\)Directorate-General for Regional Policy within the European Commission
Once it was identified what was needed to complete the research, the sources, timing and methods of acquiring this became evident (Table 2.1). Both primary and secondary data collection occurred with a view to using triangulation to enhance the credibility of the data (Bryman, 2004; Hall and Hall, 2004; Patton, 1987; Robson, 1993).

2.4.1 Primary data:
Officials within the EC’s DG-ENV\(^3\) were judged as the most knowledgeable on regulatory matters and ‘state of the art’ SEA Directive implementation – being ‘proponents’ and overseers of environmental Directives – to provide the required initial understanding through face-to-face discussions, telephone conversations and e-mail exchange. Selected DG-ENV officials also participated in phase 1 of the data collection stage through the provision of specific data to be analysed that were acquired using semi-structured interviews. At this point in the project, the opportunity of being in the ‘policy-making environment’ was used to advantage in gaining deeper insights into the issues by interviewing non-targeted DG-ENV officials. This was made possible by the snowball effect (Russel, 2004) whereby individual contacts generated additional interviewee names.

\(^3\) Directorate-General for the Environment

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**Figure 2.2: Conceptualising Directive application to determine information needed to meet research objectives**

<table>
<thead>
<tr>
<th>Policy-making level (EU)</th>
<th>Implementation level (National)</th>
<th>Outcome</th>
</tr>
</thead>
<tbody>
<tr>
<td>SEA Directive</td>
<td>ERDF OPs</td>
<td>1. Overall effectiveness</td>
</tr>
<tr>
<td>Application</td>
<td></td>
<td>2. Integrated environmental decision-making</td>
</tr>
<tr>
<td></td>
<td></td>
<td>3. Efficient delivery</td>
</tr>
<tr>
<td></td>
<td>- SEA-SF relationships</td>
<td>- SEA influence on OP</td>
</tr>
<tr>
<td></td>
<td>- Regulatory requirements</td>
<td>- Benefits/ disbenefits</td>
</tr>
<tr>
<td></td>
<td>- Old ex-ante evaluation</td>
<td></td>
</tr>
<tr>
<td></td>
<td>mechanism</td>
<td></td>
</tr>
<tr>
<td></td>
<td>- Implementation process</td>
<td></td>
</tr>
<tr>
<td></td>
<td>- Commission concerns</td>
<td></td>
</tr>
<tr>
<td></td>
<td>- Implementation in practice</td>
<td></td>
</tr>
<tr>
<td></td>
<td>- Actors involved &amp; functions</td>
<td></td>
</tr>
<tr>
<td></td>
<td>- Decision-making approach</td>
<td></td>
</tr>
<tr>
<td></td>
<td>- Timescales</td>
<td></td>
</tr>
<tr>
<td></td>
<td>- Regional context</td>
<td></td>
</tr>
<tr>
<td></td>
<td>- Practitioners’ views/concerns</td>
<td></td>
</tr>
</tbody>
</table>

---

\(^3\) Directorate-General for the Environment
During this stage, participant observation was also carried out extemporarily. This was made possible after an invitation to attend a plenary session on the progress of SEA Directive implementation in MSs and an SEA working group meeting over two consecutive days. The meetings were intended to discuss progress in the implementation of the Directive to the 2007-2013 SF programmes between the Commission, the MSs and members of the European Network of Environmental Authorities (ENEA) with the active participation of NGOs. Notes taken from the meetings were used to inform the perception of relevant research concepts, the selection of data evaluation criteria (see following section on data analysis and table 2.4) and the interpretation of the study’s results. Due to the unforeseen use of

<table>
<thead>
<tr>
<th>REQUIRED INFORMATION</th>
<th>SOURCE</th>
<th>COLLECTION METHOD</th>
<th>TIMING</th>
</tr>
</thead>
</table>
| - SEA-SF relationships  
- Regulatory requirements  
- Old ex-ante evaluation mechanism  
- Implementation process  
- Commission concerns | DG-ENV officials (proponents) | Discussion | Reading and theory development |
| - Implementation in practice  
- Actors involved and their functions  
- Decision-making approach  
- Timescales  
- Regional context  
- Practitioners’ views/concerns | DG-ENV officials (proponents) and MS environmental authority officials | Participant observation | Data collection: phase 1 |
| - SEA influence on OP  
- Benefits/ disbenefits | DG-ENV officials (proponents) | Unstructured interviews, Semi-structured interviews | |
| - Officials from authorities responsible for implementation (practitioners) | Semi-structured interviews (preceded or followed by discussion) | Data collection: phase 2 |

**Table 2.1: Primary data collection schedule**

<table>
<thead>
<tr>
<th>OBJECTIVES 1</th>
<th>EXPLORATION &amp; OBJECTIVE 1</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td><strong>DATA COLLECTION</strong>: <strong>PHASE 1</strong></td>
</tr>
<tr>
<td></td>
<td><strong>DOCUMENTATION &amp; OBJECTIVE 2 &amp; 3 (CASE STUDIES)</strong></td>
</tr>
</tbody>
</table>

**Data collection: phase 2**
participant observation as an additional primary research method, its results were not subjected to a pre-defined structured analysis method; rather they were interpreted in a holistic manner. Furthermore, because the meetings were strictly between the Commission and the MSs, rather than open to the public, the researcher’s role was not made clear to other participants and it was not regarded as ethical to use the minutes for data analysis. However, contact with a DG-ENV official later confirmed that outcomes and quotes from the meetings could be used in the project with moderation. Both the interviews and participant observation contributed to the exploratory stage of the project (Table 2.1).

Following this initial stage, the case study interviews were carried out on the basis of the identified stakeholders for each region of interest. Stakeholder identification was made possible by information gained at the ‘exploration and objective 1’ stage from EU officials and subsequently through repeated emails with certain contacts from each UK region. In either case there was at least one individual within the stakeholders that the researcher regarded as a main point of contact, owing to an expressed interest in the research, for acquiring contact details of other SEA participants. Although the most active participants in developing the SEA and the OP process were interviewed (affirmed by interviewees from either region), not all identified stakeholders were interviewed and this is acknowledged as a potential limitation to the integrity of the research results (see section 2.6 below).

2.4.2 Secondary data:
The document review method was used to complement the interview approach in the two regional cases. Documents were examined in preparation for the interviews, as far as time allowed, to ensure adequate understanding for the expert-to-non-expert meeting and to test the credibility of the interviewees’ contributions in certain areas. The verbal account concerning the incorporation of changes proposed by the SEA in the OP, for example, could be compared to the obligatory documented account on the influence of the SEA on the programme (Art.47, Council Regulation (EC) No.1083/2006). Table 2.2 lists the documents wherein the required information was sought with a comment on which documents could not be made available to the researcher.
Table 2.2: Secondary data collection schedule

<table>
<thead>
<tr>
<th>INFORMATION REQUIRED</th>
<th>SOURCE DOCUMENT</th>
<th>W/E</th>
<th>TIMING</th>
</tr>
</thead>
<tbody>
<tr>
<td>Implementation in practice</td>
<td>SEA report (draft/final if available)</td>
<td>✓/✓</td>
<td>Prior to conducting ‘practitioner’ interviews, as far as possible</td>
</tr>
<tr>
<td>Actors involved and their functions</td>
<td>OP report (draft/final if available)</td>
<td>✓/✓</td>
<td></td>
</tr>
<tr>
<td>Decision-making approach</td>
<td>Ex-ante evaluation report (draft/final if available)</td>
<td>✓/✓</td>
<td></td>
</tr>
<tr>
<td>Timescales</td>
<td>Results of statutory consultation</td>
<td>✓/✓</td>
<td></td>
</tr>
<tr>
<td>Regional context</td>
<td>Results of public consultation</td>
<td>✓/✓</td>
<td></td>
</tr>
<tr>
<td>Practitioners’ views/concerns</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>SEA influence on OP</td>
<td></td>
<td>✓/✓</td>
<td></td>
</tr>
<tr>
<td>Benefits/ disbenefits</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

W: West Wales and the Valleys
E: East of England
✓: Available
✗: Not available
*Final report not available

2.4.3 Procedures:
The interview process was guided by Bryman (2004) and Robson (1993). Upon first contact of both types of interviewees (EU officials and UK regional officers), the research was introduced following a request for their contribution through a face-to-face interview or a telephone interview of approximately one hour. The researcher took initiative in fixing a date and time and had to be persistent through repeated emails and follow-up phone calls to agree an appointment. Once interview times were confirmed the interviewees were emailed a sample of questions to be covered in the semi-structured interviews. They were reassured about confidentiality issues and were given the choice of anonymity in the study. Table 2.3 lists the number and types of interviews undertaken.

The interviews were voice-recorded, subject to interviewee consent, to facilitate transcription and analysis of data. Notes were also taken during the interviews as a fail safe in case of recorder failure and as a reminder for possible questions or clarifications required at the end of the interview. All participants agreed to the sessions being recorded, however, two interview transcripts were heavily based on the researcher’s notes due to a recorder failure. All interviews were transcribed and all semi-structured interview transcripts were emailed to each interviewee, in respect of ethical research, giving him/her the opportunity to make sure the contents accurately reflected his/her views. Six out of the fifteen emailed transcripts were edited. Minor
syntax changes were made in five of the transcripts while one was more heavily 
edited by the removal of certain passages.

Table 2.3: Number of interviews and interviewee department

<table>
<thead>
<tr>
<th>Administrative level</th>
<th>Interviewee department</th>
<th>No. of unstructured interviews</th>
<th>No. of semi-structured interviews</th>
<th>Face-to-face(F)/Telephone (T)</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>EU</td>
<td>DG-ENV</td>
<td>4</td>
<td>4</td>
<td>F</td>
<td>8</td>
</tr>
<tr>
<td>WEST WALES &amp; THE VALLEYS</td>
<td>Welsh Assembly</td>
<td>-</td>
<td>1</td>
<td>F</td>
<td>6</td>
</tr>
<tr>
<td></td>
<td>WEFO</td>
<td>2</td>
<td>1F/1T</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>EA Wales</td>
<td>2</td>
<td>F</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>CCW</td>
<td>1</td>
<td>T</td>
<td></td>
<td></td>
</tr>
<tr>
<td>EAST OF ENGLAND</td>
<td>GO East</td>
<td>2</td>
<td>1F/1T</td>
<td></td>
<td>6</td>
</tr>
<tr>
<td></td>
<td>EERA</td>
<td>1</td>
<td>T</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>EEDA</td>
<td>1</td>
<td>T</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>EA Anglian region</td>
<td>2</td>
<td>T</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Total</td>
<td></td>
<td>4</td>
<td>16</td>
<td>13F/7T</td>
<td>20</td>
</tr>
</tbody>
</table>

The semi-structured interviews had a three-part layout – warm-up, main body of questions and wrap-up – with a briefing at the beginning and a debriefing at the end of the interview (Appendix 1) whereas the unstructured interviews only included a briefing of the participant at the beginning and were guided by a list of discussion points for the interviewer’s use. The semi-structured interview questions for ‘proponents’ were rather different to the questions targeted for ‘practitioners’ (Appendix 2). While the interviews intended for regional officers contained questions on elements relating to substantive and transactive effectiveness of implementation in the specific regions, the ‘proponent’ interviews comprised of questions relating to implementation experience throughout MSs. This is in line with the differing data requirements specified for each interviewee group above. As a result, different evaluation checklists were required for DG-ENV interviews and case study interviews.

Interview duration ranged from fifteen minutes to one hour with EU officials while case study interviews ranged from thirty-five minutes to one hour forty minutes. Telephone interviews were typically shorter (thirty-five to forty-five minutes).
2.5 Data analysis

Figure 2.3 is a schematic representation of the researcher’s definition of effective implementation of the SEA Directive in the context of this study. It constitutes the general rationale or main conceptual framework behind the project and the basis from which the two methods of analysis emerged: the criterion evaluation checklists and the coding scheme. The evaluation criteria are listed in Table 2.4 and were compiled using the various sources shown. Although the evaluation criteria were conceived before data collection commenced, they were revisited once the researcher had a good idea of how the data would fit into the checklist to yield results (Robson, 1993). An explanation for each criterion is provided within the table and justification is explained below. A separate checklist was developed to analyse the EC interviews based on the knowledge gained from the early exploratory stage (Table 2.5). The coding method was developed towards the end of the data collection stage and is explained in section 2.5.4.

Figure 2.3: Conceptualising effective implementation of the SEA Directive in context
2.5.1 Case study evaluation criteria

It must be emphasised that each criterion is based on an assumption (not a certainty) that if met, it will lead to the desired outcomes of integrated environmental decision-making and efficient delivery of the Directive objectives. Each criterion was tested against two questions, influenced by Baker and McLelland’s (2003) paper on effectiveness, to make sure, as far as possible, that it was valid and appropriate for the purpose (Box 2.1). This test also serves as justification for the use of each criterion. Categorisation was tested according to Baker and McLelland’s (2003) definitions of performance and proficiency: ‘performance’ (otherwise outcome (Cashmore et al., 2004)) refers to what objectives were met as a result of application (of the SEA Directive) whereas ‘proficiency’ refers to how resources were used in achieving objectives.

Box 2.1: Testing suitability of the case study evaluation criteria

<table>
<thead>
<tr>
<th>Does it <strong>answer</strong> the research questions:</th>
<th><strong>SUBSTANTIVE</strong></th>
<th><strong>TRANSACTIVE</strong></th>
</tr>
</thead>
<tbody>
<tr>
<td>Does it answer whether integrated environmental decision-making is achieved?</td>
<td>Does it answer whether efficiency is achieved?</td>
<td></td>
</tr>
<tr>
<td>Is it in the right category:</td>
<td><strong>Does it refer to performance?</strong></td>
<td>Does it refer to proficiency?</td>
</tr>
</tbody>
</table>

2.5.2 DG-ENV evaluation criteria

A rough list of criteria, drawn up prior to conducting the Commission interviews, which underpinned the interview questions, was supplemented through the participant observation exercise and the interview data themselves to finalise the DG-ENV evaluation checklist. Unlike the case study criteria, this second checklist was mainly derived from the knowledge acquired through engaging with the ‘proponents’. This was to be expected as the novelty of the application of the SEA Directive to SF programmes means that literature around this is yet to be written and “playing with the data” (Robson, 1993 p.378) in order to come up with a workable checklist seemed more appropriate because of the study’s very particular nature.

2.5.3 Judging performance

The choice of method for judging criterion performance was common for both checklists. It was guided by the researcher’s academic supervisor, as Robson (1993)
cautions that expert input is essential to qualitative data analysis. The method is borrowed from Wood (2003) with the addition of an extra judgement of ‘unclear’ (Box 2.2) because it was anticipated that interview responses might not always indicate a clear result. The idea of using a numerary scale or similar scoring system that generated quantifiable results to judge criterion performance was discarded from the beginning due to its debatable objectivity and accuracy (Glasson et al., 2005).

Samples of the applied evaluation checklists can be found in Appendix 3.

**Box 2.2: Method of judging criterion performance**

<table>
<thead>
<tr>
<th>Is the criterion met?</th>
</tr>
</thead>
<tbody>
<tr>
<td>✓ Yes</td>
</tr>
<tr>
<td>✗ No</td>
</tr>
<tr>
<td>~ Partially</td>
</tr>
<tr>
<td>? Unclear</td>
</tr>
<tr>
<td>Criteria</td>
</tr>
<tr>
<td>----------</td>
</tr>
<tr>
<td><strong>EFFECTIVENESS</strong></td>
</tr>
<tr>
<td>Incorporation of proposed changes – most or all proposals for changes and/or additions to the draft programme emanating from the SEA were taken into account in the final version of the programme</td>
</tr>
<tr>
<td>Informed decision-making – the use of all mandatory documents produced as part of the SEA process coupled with continuous dialogue between the parties involved in the process informed decisions on the final version of the programme</td>
</tr>
<tr>
<td>Close collaboration – there was regular communication and a high level of collaboration between those producing the SEA and those producing the programme</td>
</tr>
<tr>
<td>Parallel development – the SEA and programme developed alongside one other with considerable cross-cutting between the processes</td>
</tr>
<tr>
<td>Early start – the SEA process was initiated at the very first stages of programme development</td>
</tr>
<tr>
<td>Institutional &amp; other benefits – there is strong evidence of better departmental relations, development of otherwise absent expertise, learning, new partnerships and better public-private-voluntary sector communication as a result of SEA</td>
</tr>
<tr>
<td>Successful statutory consultation – the statutory consultation bodies had a fair opportunity to contribute and their views and comments were taken on board</td>
</tr>
<tr>
<td>Successful public consultation – the public consultation bodies had a fair opportunity to contribute and their views and comments were taken on board</td>
</tr>
<tr>
<td><strong>SUBSTANTIVE</strong></td>
</tr>
</tbody>
</table>
| 1. Incorporation of proposed changes – most or all proposals for changes and/or additions to the draft programme emanating from the SEA were taken into account in the final version of the programme .

2. Informed decision-making – the use of all mandatory documents produced as part of the SEA process coupled with continuous dialogue between the parties involved in the process informed decisions on the final version of the programme.

3. Close collaboration – there was regular communication and a high level of collaboration between those producing the SEA and those producing the programme.

4. Parallel development – the SEA and programme developed alongside one other with considerable cross-cutting between the processes.

5. Early start – the SEA process was initiated at the very first stages of programme development.

6. Institutional & other benefits – there is strong evidence of better departmental relations, development of otherwise absent expertise, learning, new partnerships and better public-private-voluntary sector communication as a result of SEA.

7. Successful statutory consultation – the statutory consultation bodies had a fair opportunity to contribute and their views and comments were taken on board.

8. Successful public consultation – the public consultation bodies had a fair opportunity to contribute and their views and comments were taken on board.
### Criteria Sources

| TRANSACTIVE  | 1. **Time** – SEA was carried out within a reasonable time-frame without undue delay or within a very short time period (as compared to old ex-ante mechanism, where applicable) a,c,g,i  
|  | 2. **Financial resources** – carrying out the SEA did not entail excessive spending (as compared to old ex-ante mechanism, where applicable) a,c,f,g,i  
|  | 3. **Skills** – the acquiring of skills and personnel required for the SEA did not constitute a big burden and these were easily accessible (as compared to old ex-ante mechanism, where applicable) c,i  
|  | 4. **Specification of roles** – responsibilities were clearly defined and allocated and tasks were undertaken by the most appropriate subjects c,f  
|  | (a) Baker and McLelland 2003;  
|  | (c) ENEA SEA Working Group, 2007; (f) GRDP, 2007; (g) Fischer and Gazzola, 2006; (i) Sadler 1996. |

### Table 2.5: DG-ENV evaluation checklist (CHL2)

<table>
<thead>
<tr>
<th>OVERALL EFFECTIVENESS IN MSs</th>
<th>Criteria</th>
<th>Sources</th>
</tr>
</thead>
</table>
| 1. **SEA influence** – the SEA process and findings have had a demonstrable influence on the programmes with most or all proposed changes having been taken on board  
| 2. **Sound implementation** – the MSs have demonstrated thorough understanding of the Directive and thus far appear to be fully compliant with its requirements  
| 3. **SEA added benefits** – application of the Directive to the SF programmes has brought about important unanticipated benefits (additional to the Directive’s expected outcomes)  
| 4. **Big upgrade** – the introduction of SEA to SF programmes is perceived as a much more effective and powerful mechanism for environmental assessment than the old ex-ante evaluation mechanism  
| 5. **Good/suitable Directive** – the Directive is perceived as a clear, good piece of legislation that can be successfully applied to SF programmes  
| Knowledge gained from attending ENEA plenary and WG meetings, discussion with EC officials and overview of DG-ENV interview transcripts |
2.5.4 Coding scheme

Once most of the data had been collected, a first overview of the data inspired the application of a coding scheme to the interview transcripts in addition to the criterion analysis method. The coding scheme was seen to serve two purposes: helping to determine whether criteria were being met as a means of evaluating the SEA process and as a methodological test to check whether the criteria were covering all the issues.

A separate coding scheme was devised for each set of data whereby the interview text was assigned a specific letter code according to its categorisation. Twenty categories were used to classify the more detailed case study responses while ten were applied to the Commission transcripts. The researcher related some categories to others and grouped certain categories together according to which ones were relevant to assessing each criterion. Given the relative comprehensiveness of the coding method, some coding categories did not fit the evaluation criteria. Categories such as ‘Regional context’, ‘SEA outcome’ or ‘Occupation description’ from the case study coding scheme provided additional information that was used in interpreting the interviews more broadly; Kvale (1996) terms this type of interpretation hermeneutical, whereby the researcher used her own perspective and went beyond what was directly said to make sense of the interview text. The additional categories helped in explaining results obtained from the evaluation checklists, e.g. performance of a certain criterion could be explained by the occupation of the interviewee that provided an answer.

Opinions and facts were distinguished using two different symbols. The coding schemes can be found in Appendix 4.

Interviewees were given a code number to facilitate reference to each interview. Table 2.6 explains the acronyms and codes assigned. Reference to interviews and interviewees is henceforth made using the listed codes.
### Table 2.6: Interview reference codes

<table>
<thead>
<tr>
<th>Interviewee department</th>
<th>Acronym</th>
<th>Reference code</th>
<th>Date of interview</th>
</tr>
</thead>
<tbody>
<tr>
<td>1 DG-Environment</td>
<td>DG-ENV</td>
<td>DGE1</td>
<td>29/05/2007</td>
</tr>
<tr>
<td>2 DG-Environment</td>
<td>DG-ENV</td>
<td>DGE2</td>
<td>29/05/2007</td>
</tr>
<tr>
<td>3 DG-Environment</td>
<td>DG-ENV</td>
<td>DGE3</td>
<td>29/05/2007</td>
</tr>
<tr>
<td>4 DG-Environment</td>
<td>DG-ENV</td>
<td>DGE4</td>
<td>30/05/2007</td>
</tr>
<tr>
<td>5 DG-Environment</td>
<td>DG-ENV</td>
<td>DGE5</td>
<td>29/05/2007</td>
</tr>
<tr>
<td>6 DG-Environment</td>
<td>DG-ENV</td>
<td>DGE6</td>
<td>29/05/2007</td>
</tr>
<tr>
<td>7 DG-Environment</td>
<td>DG-ENV</td>
<td>DGE7</td>
<td>30/05/2007</td>
</tr>
<tr>
<td>8 DG-Environment</td>
<td>DG-ENV</td>
<td>DGE8</td>
<td>30/05/2007</td>
</tr>
<tr>
<td>9 Welsh Assembly</td>
<td>WA</td>
<td>WA1</td>
<td>19/06/2007</td>
</tr>
<tr>
<td>10 Welsh European Funding Office</td>
<td>WEFO</td>
<td>WEFO1</td>
<td>18/06/2007</td>
</tr>
<tr>
<td>11 Welsh European Funding Office</td>
<td>WEFO</td>
<td>WEFO2</td>
<td>05/07/2007</td>
</tr>
<tr>
<td>12 Environment Agency Wales</td>
<td>EAW</td>
<td>EAW1</td>
<td>18/06/2007</td>
</tr>
<tr>
<td>13 Environment Agency Wales</td>
<td>EAW</td>
<td>EAW2</td>
<td>18/06/2007</td>
</tr>
<tr>
<td>14 Countryside Council for Wales</td>
<td>CCW</td>
<td>CCW1</td>
<td>26/06/2007</td>
</tr>
<tr>
<td>17 East of England Regional Assembly</td>
<td>EERA</td>
<td>EERA1</td>
<td>03/07/2007</td>
</tr>
<tr>
<td>18 East of England Development Agency</td>
<td>EEDA</td>
<td>EEDA1</td>
<td>06/07/2007</td>
</tr>
<tr>
<td>19 Environment Agency (Anglian region)</td>
<td>EA</td>
<td>EA1</td>
<td>06/07/2007</td>
</tr>
<tr>
<td>20 Environment Agency (Anglian region)</td>
<td>EA</td>
<td>EA2</td>
<td>06/07/2007</td>
</tr>
</tbody>
</table>

### 2.6 Critical appraisal of the adopted methodology

Reflexivity should not be ignored within the research carried out (Bryman, 2004), especially because of the multiple methods employed and the heavy reliance on the investigator’s perception of social reality. This section provides an account of the limitations and potential lessons from the adopted methodology.

Owing to the time constraint and the failure of certain contacts to respond, not all stakeholders involved in the SEA implementation process in the case studies were interviewed. This may have biased the results and their interpretation in favour of fewer perspectives than exist. An inclusion of the views of the business
representatives and the consultants that undertook SEA, OP and ex-ante report preparation could have perhaps provided a more rounded view on effectiveness in the studied regions. Moreover, there might have been stakeholders who were overlooked and who, given a larger-scale project and additional time, could be pinpointed and their views tapped. Similarly, in the case of the Commission interviewees, DG-ENV officials representing EU environmental policy were interviewed alone. The issues covered by the current study demonstrate that environmental and regional policy are intertwined and qualitative data gathered from DG-REGIO might have shed more light on why the SEA Directive is performing the way it is as applied to these co-financed regional programmes.

With regard to limitations from using the interview transcripts, higher-ranked participants tended to edit their transcribed responses substantially by removing some passages containing critical comments. Although these interviews were illuminating for the researcher at a personal comprehension level, the data could not be included within the study as findings. This was also the case for certain observations from the meetings attended where the investigator had to be cautious for confidentiality and ethical issues.

Triangulation in its strictest sense of complementing the interview data with document review data was not possible because the information sought after in the documents was not all present. Within the documents that were consulted, information on decision-making on the SEA and the OP and benefits and disbenefits of the SEA process was absent. Information on whether and which consultation changes were taken into account in the final version of the SEA and the OP was not always clear as was information on how the SEA influenced the programme. Rather than consultant incompetence, this might be attributable to the fact that the application of SEA to the programmes was an iterative process whereby environmental improvements were integrated throughout rather than at distinct decision-making stages. Furthermore, when asked about SEA influence on the OP, the interviewees themselves responded using quotes from the documents which would arguably nullify the document review data or enhance the credibility of the respondent’s answer. For these reasons, the documents were used to complement interview result interpretation informally rather than through document result triangulation.
Detailed comparison of old ex-ante evaluation to current SEA application as part of the objectives was not possible in the case studies because most interviewees did not have experience in this or were reluctant to express preference for one over the other. Most EU officer interviews, on the other hand, contained clear responses as to which mechanism was more favourable. These should be treated with caution, however, because they were purely opinion-based answers rather than factual and often did not include justification for the expressed preference of one mechanism over the other. Failure to give an opinion on the old ex-ante mechanism can be attributed to employee turnover within the regional departments as well as within the European Commission.

The fact that the coding system generated additional results that could not be moulded to fit into the evaluation checklist can be viewed as a positive outcome. In this case hindsight provides the opportunity for future researchers to revise the evaluation checklists to include additional criteria and refine existing criteria further.

Although the participant observation was not used for triangulation as such, one of the learning outcomes of its use was that both substantive and transactive effectiveness might be contingent upon procedural effectiveness. The failure of some MSs to produce a non-technical summary altogether, for example, relates to procedural effectiveness and might lead to problems in achieving informed decision-making or successful public consultation.
CHAPTER 3 – RESULTS AND ANALYSIS

3.1 Introduction
This chapter is divided into three main sections. Firstly, a general description of each case study using information compiled from discussion with interviewees and information from the interviews themselves as well as from OP, SEA and other associated documents that were consulted is provided in boxes 3.1 and 3.2. The information covered is essential to understanding the particularities of each region and interpreting the results. Secondly, the data obtained from ‘practitioners’ (phase 2 data collection) i.e. the case study data is presented and analysed. Finally, section 3.4 includes the data obtained from ‘proponents’ (phase 1 data collection) i.e. the responses obtained from DG-ENV. For the purpose of presenting and explaining the results in a logical sequence, the analysis of the data sets is presented in the inverse order than that of their collection. Each section subsequently includes an account of the results generated by applying the evaluation checklist and the additional findings from application of the coding scheme. The two case study results are analysed in parallel in order to facilitate comparison where possible.

3.2 OPs and SEAs in context
Terms such as ‘managing authority’, ‘statutory environmental authorities’ and ‘the public’ referred to within the following boxes (and later in the text) are defined, for the purpose of the current dissertation, as in the corresponding EU Regulation and Directive:

- Managing authority – “It is therefore necessary to designate a single managing authority for each operational programme and to clarify its responsibilities” (Par. 63, preamble, Council Regulation (EC) No.1083/2006);
- Statutory environmental authorities – “Member States shall designate the authorities to be consulted which, by reason of their specific environmental responsibilities, are likely to be concerned by the environmental effects of implementing plans and programmes” (Article 6(3) of Directive 2001/42/EC);
- The public – “‘The public’ shall mean one or more natural or legal persons and, in accordance with national legislation or practice, their associations, organisations or groups” (Article 2(d) of Directive 2001/42/EC).
Box 3.1: Case study 1 – West Wales and the Valleys (WWV)
The region of West Wales and the Valleys comprises fifteen Unitary Authorities, outlined by the dark border in Figure 3.1. With a GDP below 75% of the EU average (as it stood at the time of agreement of the EU budget in 2005), it is considered a Convergence region and will receive €1.25 billion for the delivery of the ERDF OP in this region.

Implementation of the Directive for the SF OPs in Wales is governed by the EU SEA Directive and the Environmental Assessment of Plans and Programmes (Wales) Regulations. In practice, the SEA process was guided by “Commission guidance on applying the SEA Directive, the ODPM’s Practical Guide to the SEA Directive and Scottish Executive templates for carrying out SEA” (EAW1; EAW2; WEFO2).

The managing authority for the SF OPs in Wales is the National Assembly for Wales, which is responsible for the management and implementation of the programmes. However, the Welsh European Funding Office (WEFO) was established as a division of the Department of Enterprise, Innovation and Networks within the Welsh Assembly Government in order to facilitate effective programme management and is thus responsible for OP design as well as SEA management. While preparation of the OP was carried out in-house by a team of experts (led by an environmental officer seconded to WEFO by the EAW), the SEA was contracted out to environmental consultants. DTZ Research and Consulting were awarded the complete ex-ante evaluation contract and as part of this, Royal Haskoning Scottish consultants were sub-contracted to undertake the SEA exercise. When drawing up the OP, the expert team consulted with the Research Monitoring Evaluation (RME) team within WEFO, which conducted research on the monitoring and evaluation of previous programmes and provided useful information on lessons learned. Figure 3.2 depicts the stakeholders identified by the researcher as having an interest in the SEA process.

![Figure 3.1: West Wales and the Valleys](image)

The diagram illustrates the OP as the core element, for which an SEA and a social and economic analysis are required (collectively ex-ante evaluation). WEFO as part of the WA is considered the ‘steerer’ of OP and SEA development and receives support from the consultants who performed the specified tasks. The dashed boxes represent the statutory environmental authorities that were consulted as required by Article 6(3) of the SEA Directive and solid boxes refer to other members of what the Directive defines as “the public”. Cadw is the historic environment service of the WA, councils refers to city and county councils that were consulted within the region and a Higher Education Institution (HEI) that was involved includes the University of Wales, Bangor. The shaded boxes represent the stakeholders interviewed as part of the current research project.

Sources: CCW1; EAW1; EAW2; Royal Haskoning, 2007; WA1; WEFO1; WEFO2.
Box 3.2: Case study 2 – East of England (EE)
The EE region (Figure 3.3) comprises six counties and four unitary authority areas. Like all other English regions, it has a Competitiveness OP under the Competitiveness and Employment Objective that will be allocated €110 million through the ERDF.

The SEA was undertaken in accordance with the Requirements of the English Environmental Assessment of Plans and Programmes Regulations 2004 transposing the EU SEA Directive. The assessment was carried out in line with guidance provided in ‘A practical guide to the SEA Directive’ published by ODPM (2005) and the GRDP ‘Handbook on SEA for Cohesion Policy 2007-2013’.

The managing authority for the OP is the Secretary of State for Communities and Local Government (CLG) and EEDA was appointed the intermediate body to carry out tasks associated to OP development. However, involvement and OP management responsibilities of the Government Office for the East of England (GO-East) have been pronounced because of a transfer of responsibilities from GO-East to EEDA, who will ultimately allocate the funds for the OP. The East of England Steering Group (EESG) was established to oversee development of the OP. It was chaired by GO-East and its membership included representatives from EERA, EEDA, the EA, the East of England Business Group, social enterprise and other public bodies. However, day-to-day progress on the development of the OP was steered by a sub-group of the EESG which included officers from GO-East, EERA and EEDA, labelled by the researcher as the ‘steerers’ of this regional programme. Operational Advisory Groups (OPAG) were also set up to provide expert input on programme strategy, horizontal themes, etc. but the formal drafting of the OP was contracted to SQW Consulting while CSES consultants undertook preparation of the socio-economic tranche of ex-ante evaluation and sub-contracted WSP Environmental Ltd. to produce the SEA. The main points of reference for the OP consultants and ex-ante evaluation (including SEA) consultants were EEDA and GO-East respectively. Stakeholder involvement and interactions are explained below in accordance with Figure 3.4.

The figure demonstrates that the OP and the associated assessments (SEA and socio-economic analyses) were steered by EEDA, GO-East and EERA while consultants provided the official documents for the processes. The dashed boxes represent the statutory environmental authorities consulted on the SEA and OP – Environment Agency (EA), Natural England (NE), English Heritage (EH), Countryside Agency (CA) – who formed a partnership to voice their views collectively on the EESG, through a single representative from the EA. The solid boxes include stakeholders that participated in EESG meetings but were also included in the mandatory public consultation process. The shaded boxes represent the stakeholders interviewed as part of the current research project.

Sources: CSES, 2007; EA1; EA2; GO-East, 2007; GO1; WSP, 2007.
3.3 Case study results
Table 3.1 below includes a summary of the performance of the evaluation checklist criteria across both cases. It will be the main point of reference when highlighting noteworthy trends for both regions in the following sections.

3.3.1 Substantive effectiveness:
The performance of the ‘incorporation of proposed changes’ criterion gave mixed results rather than leaning towards either the ‘yes’ or ‘no’ side of the criterion satisfaction spectrum. This holds true for both WWV and the EE. In Wales, the seconding of an EAW policy officer to WEFO who led the development of the OP meant that there were already a “good amount of checks and balances throughout the development of the programme” to account for potential environmental damage (WA1). Five out of the six interviewees gave mention of this regional particularity and attributed the limited amount of suggested changes, both from the statutory and public consultees, to this infiltration of OP development by an environmental policy officer. There was, however, expressed concern from the Welsh environmental bodies interviewed and the WA respondent (previously a CCW officer) that a realistic and detailed consideration of alternatives was absent and that perhaps the tight time frame in which the OP was developed did not allow for these to be revisited. In the EE region, the difficulty in singling out major changes to the final OP can be explained by the nature of the OP itself which was “conceived as a low carbon growth” OP (EERA1) to begin with. All four ‘steerer’ interviewees from this region emphasised the iteration and the parallel development of the OP and SEA that eventually resulted in “an evolution” (EEDA1) of the programme rather than entailing “showstoppers that had to be changed” (GO2).
Table 3.1: Performance of effectiveness criteria in the two case studies

<table>
<thead>
<tr>
<th>CRITERION</th>
<th>WEST WALES AND THE VALLEYS</th>
<th>EAST OF ENGLAND</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>WA1</td>
<td>WEF1 O2</td>
</tr>
<tr>
<td></td>
<td></td>
<td>EERAD1 GO1 G02</td>
</tr>
<tr>
<td>1</td>
<td>Incorporation of proposed changes</td>
<td>? ? √ ~ ~</td>
</tr>
<tr>
<td>2</td>
<td>Informed decision-making</td>
<td>? √ × ? ?</td>
</tr>
<tr>
<td>3</td>
<td>Close collaboration</td>
<td>~ √ ~ ~ ?</td>
</tr>
<tr>
<td>4</td>
<td>Parallel development</td>
<td>~ ~ √ √ ~</td>
</tr>
<tr>
<td>5</td>
<td>Early start</td>
<td>× ~ ~ ~ ? √</td>
</tr>
<tr>
<td>6</td>
<td>Institutional and other benefits</td>
<td>~ × √ ~ ~ ×</td>
</tr>
<tr>
<td>7</td>
<td>Successful statutory consultation</td>
<td>~ √ √ ~ ~</td>
</tr>
<tr>
<td>1</td>
<td>Time</td>
<td>× ? ? × × ×</td>
</tr>
<tr>
<td>2</td>
<td>Financial resources</td>
<td>? √ √ ? √</td>
</tr>
<tr>
<td>3</td>
<td>Skills</td>
<td>× ~ ~ ? ?</td>
</tr>
</tbody>
</table>

Shaded areas indicate the responses from statutory environmental authorities.

**Meets criterion:**
- ✓ Yes
- × No
- ~ Partially
- ? Unclear
In terms of ‘informed decision-making’, the EE respondents appear more confident that the SEA and the ongoing dialogue between the relevant parties served the purpose of informing the SEA document. The opinion on the Welsh OP, on the other hand, was that the influence of the SEA report and associated documents (scoping and consultation reports) on the OP was questionable. The general ‘SEA Influence’ category of the coding scheme revealed that this scepticism could be explained again by the fact that the OP was already environmentally-geared in its own right, as it was developed by the EA-seconded officer and his team within WEFO; “The people dealing with the current programme made sure it was environment-proofed so I think it covered a lot of that prior to the SEA” (EAW1).

The EE respondents appeared to be demonstrably pleased with the ‘close collaboration’ between SEA and OP developers, the ‘parallel development’ between the two processes and the ‘early start’ of the SEA process relative to OP initiation. Under the ‘Regional context’ coding category, the researcher was able to discern that close attention might have been paid to the collaboration issue because of the transfer of OP management responsibilities from GO-East to EEDA (box 3.2). The GO and EEDA met regularly with the SEA (and ex-ante evaluation) and OP consultants to discuss progress on either front. The response to the question on parallel development and between SEA and OP development was unanimously positive. This is likely to have occurred because of the structured approach undertaken by the GO in order to deliver the programme, i.e. the setting up of the EESG with membership of all relevant stakeholders. The existence of the EESG also allowed for involvement of SEA practitioners at the earliest stage possible. The three aforementioned effectiveness criteria did not perform as well in the case of the Welsh SEA and OP processes. There were mixed responses to the issues of close collaboration and parallel development. Three out of the six interviewees claimed there was “some” collaboration between OP and SEA practitioners (EAW2; WA1; WEFO2) and four noted that “some cross-cutting” occurred (CCW1; WA1; WEFO1; WEFO2). Using the coding scheme and a hermeneutical approach towards the data suggests that the two processes were not particularly integrated from the outset. As far as ‘early start’ is concerned, the WA interviewee asserted that an initial confusion as to where the SEA responsibilities were to be allocated delayed the SEA process by nine months to one year during which time, discussions on the OP had allegedly begun. Conversely, three
respondents put forward the argument that in order to develop an SEA, there must be at least a structure for the OP “because you obviously cannot analyse it if it is not there” (WEFO1).

The ‘institutional and other benefits’ criterion generated varied responses for both the Welsh and English interviews. In both regions, the statutory environmental authorities seemed to anticipate accrued benefits whereas most of the steering authorities did not. The WEFO1 respondent seemed to perceive the SEA interaction as a one-off process and expressed the view that although there might have been newly-established communication between some bodies, “my personal opinion is that I do not see how this would last” (WEFO1). His colleague, on the other hand, felt strongly about the creation of partnerships, “There are certainly better links between my team…and the statutory environmental bodies” (WEFO2). The contradiction between the two intradepartmental views demonstrates that it is perhaps too early in the process to assume accumulation of benefits but also that the perception of benefits might be a subjective issue that is influenced by the subjects’ individual experiences. Half of the interviewees for the EE believed that better communication amongst departments and new partnerships did not arise as a result of the SEA because the region, they argued, already benefited from such institutional arrangements prior to SEA introduction to SF OPs.

Nevertheless, the ‘Outcome’ coding category picked up on several other benefits that were not covered in the description of the criterion but can serve as an advocate to applying SEA to the OPs. These include: for Wales – the SEA highlighted the importance of considering realistic and detailed alternatives and although this was not effected in the WWV OP, it was undertaken for subsequent programmes, e.g. the Competitiveness OP in East Wales; it provided “a structured approach to check that we had considered the environment in every respect” (EAW1); it established a focus on monitoring through the provision of a “comprehensive set of indicators…for monitoring the effects” of the OP on the environment (WEFO2); “Something that came through really strongly in the process of preparing the SEA was the need to see the environment as an economic opportunity” (WEFO2) rather than as a hindrance towards economic development (CCW1); it increased the evidence in support of having an official assessment procedure because it demonstrated that the environment
could be harmed by the OPs (WA1; WEFO1); it provided a “mechanism to take forward policy integration” because it provides “an opportunity to raise a mutual understanding and awareness of respective agendas” within government (CCW1). For the EE anticipated benefits were – as above, the monitoring aspect added by the SEA was accepted as a positive outcome (EEDA1; GO2); the SEA helped inform the selection of programme indicators that will then also infiltrate into the processes and procedures of developing projects (EA1; GO2); the mandatory requirement per se for SEA was believed to act as a catalyst towards ensuring that environmental issues are mainstreamed throughout planning processes by putting pressure on OP developers to conceive an environmentally-sound programme (GO1); the EA2 respondent envisaged a lower regional carbon footprint as a result of SEA introduction and an “improvement in the green credentials of regional SMEs” (EA2).

Interviewees from the EE were more or less very pleased with the statutory consultation process carried out in this region, which could perhaps be explained by the creation of the EESG, where several stakeholders were given the opportunity to put forward their views on both the SEA and the OP. WWV officials appreciated the usefulness of the introduced obligation to consult statutory environmental bodies but the environmental authorities were not convinced that all their comments had been taken into consideration. The channelling of all environmental views in the English region into the one voice of the EA representative perhaps allowed for a more coordinated process of incorporating their views as opposed to the Welsh region.

The obscurity observed in perceptions of ‘successful public consultation’ in either region can be justified by the remit of responsibilities of the interviewees. Environmental authorities, for example, would not be directly involved in the public consultation exercise and would only become aware of its progress by default (EAW1). The EAW1 and EEDA officials expressed scepticism as to how much involvement the SEA report would encourage from the public, especially in the case of Wales where the Non-Technical Summary was “still very technical and too long” (EAW1). Nevertheless, all other interviews had some positive mention of the public consultation process.
3.3.2 Transactive effectiveness

Time was evidently a big issue in delivering the Welsh OP. Apart from the two WEFO officials, who refrained from commenting on this (possibly because it was more difficult to criticise themselves as managers of the OP time frame), the interviewees gave a firm opinion that the SEA was conducted within a very tight time frame, owing to the political pressure of meeting the OP submission deadline set by the Commission. These interviewees felt that the SEA process was rather rushed and that as a result, not all statutory comments were thoroughly considered while it was also believed that the SEA report could have contained more detail. Although time did not seem to be a particular issue in the EE OP, judging from the limited comments or indifference towards the issue from respondents, the EERA official felt that not enough time was afforded for the SEA and its relevant processes while OP development took up the bulk of the EESG agenda time. But this is to be expected given that the SEA is required as a mere component of the central process of developing an OP according to Council Regulation (EC) No.1083/2006.

Apart from the EEDA respondent for the EE programme, who may have felt that the SEA exercise was not ‘good value for money’ due to its alleged marginal influence on the OP, the amount and allocation of financial resources was believed to have been reasonable across both cases.

The skills criterion generated mixed results: while the EE officials appeared reasonably happy with gaining access to the appropriate skills to perform the SEA task, the Welsh officials argued that the potential for undertaking SEA in-house, i.e. within WEFO, could have been enhanced rather than looking for these elsewhere. This then relates directly to the ‘specification of roles’ criterion where a discontentment with the approach adopted by the SEA consultants became evident; as a Scottish consultancy they carried out the assessment following guidelines issued by the Scottish Executive that were perceived as particular to the Scottish region and inappropriate for the WWV OP. This view was expressed by the EAW2 officer, who felt that tendering out SEA “externalises it to some extent” and “means that you do not have the proper embedding of the process within the development of the OP so you do not get the same influence” (EAW2). The WEFO1 respondent was slightly sceptical about the transparency of the scoring system used by the consultants to
appraise the potential damage of each OP priority as well as the consultants’ experience in integrating SEA into such EU-funded programmes. He/she, however, along with the WEFO2 respondent, did not fail to emphasise that despite inter-contractual differences, the OP was very well received by the Commission which provided positive feedback on the SEA and OP processes of this region. The EE officials that expressed an opinion on role allocation said that this was a straightforward process to begin with that was mapped out quite well once the EESG had been set up.
3.4 Results from Commission responses

Effectiveness performance as a result of the application of CHL2 to the ‘proponent’ interviews is summarised in Table 3.2. It becomes apparent that SEA implementation across MSs was not perceived to be very effective overall. Application of the evaluation checklist did not pick up on the complex reasons behind this but use of the coding scheme devised for this data set enabled a thorough analysis of the underlying issues. It should be emphasised that the responses obtained were based on the experiences of officers with certain MSs OPs and SEAs as opposed to the whole EU: Bulgaria, Denmark, Finland, France, Germany, Great Britain, Hungary, Ireland, Malta, Poland, Slovenia, Spain and Sweden. However, three of the interviewees were considered to have had a long-standing career and extensive experience within the unit and often referred to the MSs collectively.

Table 3.2: Performance of effectiveness across MSs

<table>
<thead>
<tr>
<th>EFFECTIVENESS IN MSs</th>
<th>CRITERION</th>
<th>DG-ENV officials</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td>DGE1</td>
</tr>
<tr>
<td>1 SEA influence</td>
<td></td>
<td>✗</td>
</tr>
<tr>
<td>2 Sound implementation</td>
<td></td>
<td>✗</td>
</tr>
<tr>
<td>3 SEA added benefits</td>
<td></td>
<td>?</td>
</tr>
<tr>
<td>4 Big upgrade</td>
<td></td>
<td>✗</td>
</tr>
<tr>
<td>5 Good/suitable Directive</td>
<td></td>
<td>✗</td>
</tr>
</tbody>
</table>

The majority of ‘proponent’ respondents felt that the OP was partially influenced by the SEA process, during which some, rather than all, recommendations were taken into account; “It was more tinkering at the edges rather than full-scale changes to the OP” (DGE6) although three of the interviewees thought that the process did change the planners’ frame of thinking. Half of the interviewees appeared sceptical about the transparency of OP-SEA interaction and considered this an important inadequacy especially because the Directive explicitly requires the documentation of SEA.
influence on the OP; “recommendations are not clear in the programmes. They are stated in the SEA report but you cannot really see if those recommendations have been incorporated in the OP report” (DGE6). In one case, the language barrier proved to be a problem for the apposite DG-ENV official in determining SEA influence on the OP of interest because the SEA report and its associated documents were submitted in one of the recently added official MS languages, for which a native speaker did not exist within the unit.

Perceptions on the implementation of the SEA Directive tended to be negative but mal-implementation was not attributed to MS incompetence alone: An alleged complexity and vagueness in the Directive text made it difficult for certain MSs to determine precise requirements and two DG-ENV officials admitted to not being clear about some points themselves; “Even the OPs made it evident that the MSs are not aware of what they should do. I myself have questions about so many things” (DGE8), “I think both sides – Commission side and MSs – we are still trying to find our path in terms of delivering the Directive” (DGE7); Another variable that was believed to have determined MS implementation was the interpretive nature of the SEA Directive (characteristic of all EU Directives) which meant that MSs “made what they wanted of it” (DGE4), something that contributed to the inconsistencies in implementation across MSs. Nevertheless, MSs were also criticised for procedural omissions and a lack of detail in the SEA report.

While three of the DG-ENV interviewees did not give a clear opinion on additional benefits of applying the Directive to SF OPs, those that did had contrasting views. According to each official’s experience of particular MS OPs, he/she affirmed that it was either viewed as a burden and a “procedural task to satisfy the Commission” (DGE4) or as an awareness-raising exercise that contributed to better understanding of the OPs themselves by practitioners.

Interviewees with experience in the previous ex-ante evaluation mechanism expressed strong views when asked about SEA application as an upgrade or a step back in contributing to environmental integration. Officials DGE2 and DGE5 were convinced that the introduction of an official requirement for SEA to OPs is a big step forward because it puts a clear focus on the environment and thus ensures its mainstreaming
throughout planning processes. Officials DGE1 and DGE4, on the other hand, believed that the introduction of SEA will be the very reason that environmental issues are marginalised. The SEA Directive was seen as having a “sectorised view of environmental effects” (DGE4) and as jeopardising environmental integration by separating the three pillars of sustainable development: economic, social and environmental issues. Where the ‘big upgrade’ criterion seemed to be partially met, respondents argued both ways by saying that it is a positive development in theory but it is questionable and remains to be proven if it constitutes an advancement in actual practice.

The issue of whether the Directive was perceived as suitable in its application to SF programmes appeared to be the most contentious of the interview questions. Officials with extensive experience of the Directive and an established career within DG-ENV did not hesitate to criticise the Directive for its shortcomings and the implications of its recently widened scope. It was seen as lacking “a methodology to go about SEA for each OP, something that the ex-ante mechanism had” and as not suitable for “application to such large OPs” (DGE4). It was described as an “infant Directive” (DGE1) which was not ready to be applied to SF OPs owing to its own deficiencies as well as an inexperience in SEA in MSs. The newly-appointed officials to the particular DG-ENV unit expressed a more balanced opinion by admitting to the Directive’s equivocal nature but also acknowledging its potential.
CHAPTER 4 – DISCUSSION AND IMPLICATIONS

4.1 Introduction
This chapter includes a discussion on the results obtained with the aim of answering the research objectives of this dissertation. Each objective is tackled in a separate section and a final section on reflections of the research and the political and social implications that arise concludes the project.

4.2 Substantive effectiveness
If substantive effectiveness means integrated environmental decision-making and if integrated environmental decision-making means ‘incorporation of proposed changes’, ‘informed decision-making’, ‘close collaboration’, ‘parallel development’, etc., then Directive implementation in the EE has been substantively effective while the WWV has achieved this in part. However, a step back from the number of ‘yes’ and ‘no’ generated by the interview evaluation framework to gain a holistic view of SEA and decision-making in either region reveals a more complex scene.

The regional idiosyncrasies in each case are likely to have contributed positively to a more integrated approach. Particularly in WWV, the development of the OP by an environmentally-minded team (EA-seconded team leader, SD expert as his assistant) is likely to have achieved environmental integration prior to the SEA and OP decision-making stage. This regional characteristic may have contributed to what Clement (2001) terms “third order integration” in WWV, whereby internal environmental expertise exists that is used to ultimately generate regional environmental competitiveness. It is a fact that the WWV OP is an innovative programme designed to attract projects focussed on green business, green buildings and green technologies (WEFO1; WEFO, 2007).

The fact that the WWV OP developers were in a position to criticise the SEA consultants on the inadequacy of some aspects of the environmental report can also be considered proof of their superior knowledge of integrating the environment into planning proposals. This confidence in the ‘inherent’ sustainability of the OP may have, however, undermined the importance of the consultation processes. The
researcher did not become aware of the existence of a structured approach for consulting with the STEAs, something which is considered crucial in effective information communication (Fitzpatrick, 2006). Interviewees spoke of meetings that took place, which were also referred to in the SEA report, as well as exchanged written comments but the environment representatives interviewed expressed the desire to have had more continuous dialogue with WEFO and to have been regarded more as day-to-day advisers for the OP. One WEFO respondent felt that there was not enough feedback from the environmental bodies. This gives rise to the notion of a slight communication gap between ‘steerer’ and STEA which may not have been a major drawback in terms of greening this particular OP but might have entailed foregone learning opportunities for both fronts in terms of scientific and technical knowledge or knowledge of legal, administrative and political procedures (Diduck and Mitchell, 2003; Fitzpatrick, 2006; Petts, 2006). Nevertheless, the comments (and their subsequent responses) that were communicated to and from the environmental authorities and WEFO were presented in a clear account within the SEA report thus suggesting a certain level of transparency in the decision-making approach (Webler et al., 2001). The public consultation was effected through online written communication of the OP and SEA reports but the predominance of technical discourses in the NTS and the absence of oral interaction may have constrained broader involvement (Diduck and Mitchell, 2003; Rowe and Frewer, 2000; Therivel and Walsh, 2006; Webler et al., 2001).

In conclusion for WWV, integrated environmental decision-making has been achieved to a certain extent, albeit only partly due to implementation of the SEA Directive.

As opposed to the Welsh case, the consultation process was the strong point of the EE decision-making approach. The establishment of the EESG with a broad membership and a clear agenda may well have been a defining variable of the evident substantive effectiveness achieved. The English case can be considered a good justification and demonstration of the importance of a successful consultation process (Vicente and Partidario, 2006) because it appears to have had a domino effect on four interrelated factors leading to integrated environmental decision-making: An inclusive and legitimate consultation process is believed to have resulted in an early start in the SEA
process, parallel SEA-OP development and close collaboration between SEA-OP practitioners, during which informed decision-making was achieved that ultimately led to integrated environmental decision-making. This outcome bears significant similarities with the conceptual framework developed by the researcher in chapter 2.

The particularity of having a single representative on the EESG for STEAs may have contributed both positively and negatively towards integrating environmental issues. In support of the first scenario, it may have operated as a mechanism that coherently put across scientific information and environmental values that led to contentment of both steerers and STEAs. In the latter scenario, the collective expression of environmental views may have retracted from the significance assigned to certain environmental issues (Partidario and Arts, 2005) which might not have occurred if repetition by STEAs had taken place. Obtained responses support the positive scenario, however, the argument for this collective approach as best practice is somewhat tenuous because other STEAs that were not interviewed might have given a different perspective.

The theme of low-carbon economic growth of the Competitiveness OP that was present from its inception suggests an inbuilt integration of environmental issues. This too resembles Clement’s (2001) third order (strategic) integration while the environment is integrated both horizontally (as an over-arching theme throughout the OP’s development objectives) and vertically (as a separate “Priority Axis 3: ensuring sustainable development, production and consumption” (GO-East, 2007)). The inception of the programme as “cognisant of the region’s carbon footprint” (GO-East, 2007) is justified by findings of the Stern Review on the economics of climate change. However, the possibility of the introduction of this environmental precaution being associated with the acknowledgement that an SEA is required should not be overruled. There is anecdotal evidence in support of the argument that existence of mandatory SEA has an invisible or more subtle effect on decision-making if only because of the pressure of having to perform one (GO1; Therivel and Minas, 2002).

Application of the Directive to the environmentally-themed Competitiveness OP appears to have been substantively effective owing to the programme’s nature coupled with a successful consultation process.
4.3 Transactive effectiveness

The short time-frame was undeniably perceived as an issue in WWV and might suggest a not so thorough consideration of proposed changes to the OP (Therivel and Minas, 2002). Design of the OP was completed in no longer than four months and the SEA in an even shorter time period (EAW1; WA1) but respondents unquestioningly explained this by the existence of administrative pressure to submit the completed programme to the EC on time. However, the prudent existence of fixed standards and timetables for EU compliance (Jordan, 2004) can be respected whilst not reducing the opportunities for introducing strategic environmental changes to the OP. Interactive and intensive consultation has proven the most effective in incorporating changes to PPs (Therivel and Walsh, 2006) and could be considered in future for the Welsh case in the form of steerer-STEA oral communication on a more regular basis. This way delays in correspondence and fine-tuning of proposed changes could be avoided.

EAW and WEFO1 dissatisfaction with the consultants’ approach to SEA seemed to contribute to transactive ineffectiveness. The perceived inappropriateness of tailor-made Scottish guidance (Jackson and Illsley, 2006) and the analytical approach used rendered interviewees responsive to the prospect of in-house SEA. The idea that in-house SEA is favourable in achieving a more integrated approach should be treated with caution, however, when considered for other cases because this reflection from WWV respondents is likely to have emanated from the observed confidence in the competences of the WEFO expert team, exclusive to this region.

A reconsideration of non-monetary resource allocation (time and skills) in WWV in the next round of SFs could ameliorate the observed poor performance of transactive effectiveness and support the argument that costs and efforts of Directive implementation are merited.

In the EE, the single negative response about unjustified financial spending on an SEA that was described as not so influential (EEDA1) could be explained by the source of the response. It is reflective of the department’s economic agenda whose main aims are to “improve the region’s economic performance” and “ensure that it remains one of the UK’s top-performing regions” (EEDA, 2007). As a Regional Development Agency (RDA), it is responsible for managing funding allocation during
design, implementation and evaluation of the Competitiveness OP (CSES, 2007), therefore, the interviewee can be seen as putting forward the discourse of the affiliate department (Webler et al., 2001). His/her questioning of efficiency also relates to the necessity of having two separate documented responses from the public, one for the OP and one for the SEA, additionally to the verbal and documented consultation as a result of the EESG meetings, where some of the stakeholders considered as the ‘public’ (section 3.2, chapter 3) were present anyway. The current empirical evidence of the usefulness of this comprehensive consultation process dilutes this dubiousness and outweighs financial costs.

The predominant view in the EE was that the SEA did not constitute a resource burden and overall transactive effectiveness was achieved to a certain extent because resource allocation was reasonably proportional to the OP budget and certain unanticipated benefits accrued.

4.4 Does it work well? Does it add value?
In order to address the overarching objective, DG-ENV interview results are discussed and verified by observations from EC-MS meetings. It is then considered how case study results complement the overall objective.

EC officer perspectives revealed that SEA influence on OPs was not profound, and a lack of transparency in adopted decision-making approaches seemed to be a prime issue of concern. This was also strongly communicated from the EC to MSs in the ENEA plenary meeting on Cohesion policy and SEA (Theophilou, 2007). Inability to accurately determine whether SEA had a bearing on OPs was a result of technical problems such as the linguistic capacity of the affiliated DG-ENV unit, MS webpage inaccessibility, failure to consult with STEAs and to submit the SEA report altogether. A presentation of findings of a preliminary assessment by DG-ENV revealed that there were several points of non-compliance or mal-implementation across MSs that would lead to, it was believed, environmentally-damaging OPs. DG-ENV took a firm stance towards the MSs that further non-compliance would be acted upon by the Commission by giving the recent example of the infringement proceeding against Portugal for failure to transpose the SEA Directive (Theophilou, 2007). These points
highlighted the existence of a direct link of procedural compliance to overall substantive effectiveness of achieving integrated environmental decision-making.

The EC’s role as strict overseer of policy implementation (McCormick, 2005) became apparent from the meeting, however, this profile was weakened when the two DGs involved in conjoint implementation of SEA Directive and SF Regulations presented a divided front. Disagreement between them over whether the Cohesion and Structural Funds are de facto funding instruments for environmental policy (Theophilou, 2007) unearthed an internal conflict between DG-ENV and DG-REGIO. This supports the argument that factors other than MS incompetence are responsible for the implementation deficit (Glachant, 2001; Jordan and Liefferink, 2004). Ambiguous policy and mis-application of the Directive to an area to which it does not conform include such potential factors, as revealed during the interviews.

The political arena within which SEA for SF OPs operates was also proven to have an unfavourable influence on effectiveness. The intractable issue of MSs’ unwillingness to submit the SEA prior to EC approval of the OP, and EC refusal to approve OPs prior to SEA submission, was raised. This is reflective of power relationships between EU institutions and national governments which appeared to have been an inhibition for the Directive to meet its goals.

An overall negative picture of the performance of the Directive for MSs is formed based on information from DG-ENV policy officers and EC-MS interaction observations. This could be explained by the pre-occupation of both proponents and practitioners with procedural compliance which has prevented promotion by the former group and realisation by the latter group, of the Directive’s true worth. Alleged ineffectiveness could, however, also be explained by obscurities in the legislative tool itself and its unconformity to SF programmes. Inevitable political conflicts were also found to inhibit effective delivery of SEA. Furthermore, a step back from the data collected to consider the temporal context in which the research was carried out reveals a third possible interpretation that at this preliminary stage in OP delivery, the potential added value of the Directive has not yet become apparent.
The positive performance of effectiveness in WWV and EE did not seem to fit the findings of the negative overview of effectiveness in MSs. However, UK was admittedly one of the MSs that was considered to be ‘ahead of the game’ in terms of environmental integration (DGE5; DGE6). There could be several reasons behind this. The well-established UK institutions for research in environmental assessment and a focus of UK environmental policy on land-use planning and nature conservation suggest a relatively extensive experience in SEA (DGE 5; Fischer and Gazzola, 2006; Jordan, 2004). The ongoing ‘Europeanization’ of UK policy through the subtle introduction of principles such as precaution, prevention and sustainability (Jordan, 2002) could also explain this superiority in integrated decision-making in WWV and EE. A research method-related explanation of the differing results is that the case study approach exposed the researcher to a much larger pool of information that allowed for a deeper insight into the actual effectiveness achieved in each region (Yin, 2003). A detailed exploration of effectiveness of Directive implementation in other MSs might also have generated considerably more positive results. It must not be omitted that overall effectiveness and the two specific types of effectiveness studied would be expected to generate differing results in their own right (Sadler, 1996) but also owing to the different evaluation criteria used for each dataset.
4.5 Conclusions and reflections

4.5.1 Summary of findings
Perceptions of DG-ENV policy officers and behavioural observation of MS representatives interacting with EC officers indicated that implementation of the SEA Directive to the 2007-2013 ERDF OPs was not effective. The evaluation carried out was based on specific criteria devised from knowledge of SEA Directive requirements, anticipated benefits and inherent flaws as well as theoretical application of SEA to SF OPs. The observed ineffectiveness should only be quoted with joint consideration of the qualitative data collection and analysis methods used and their inefficiencies as well as the temporal conduct of this study.

In pursuit of a more empirical and detailed account of SEA Directive performance in MSs, a case study approach investigating substantive and transactive effectiveness in the British regions of West Wales and the Valleys (WWV) and the East of England (EE) was adopted. Substantive effectiveness, or integrated environmental decision-making, was believed to be achieved in both regions to a certain extent. Effectiveness was attributed to regional administrative characteristics and a comprehensive consultation process (in the case of EE). Transactive effectiveness, defined as efficient delivery of the Directive’s goals, was not as apparent through the analysed results, however, a general feeling that any excessive costs were merited by the bonuses added by SEA, ensued in both regions.

4.5.2 Implications for future policy revision, decision-making and research
Interviews and discussion with EC officials elucidated that the SEA Directive has a long way to come before it can fit comfortably onto SF OPs. This carries important connotations for policy-makers and reviewers who will have a responsibility to redraft a Directive that is unambiguous and can accommodate all shapes and sizes of PPs and administrative regimes. At the risk of discussing the need for flexibility in the SEA process ad nauseam, it must be emphasised that the SEA Directive cannot otherwise fulfil its true potential to introduce strategic environmental actions to the highly diverse planning systems and regional particularities of an ever-expanding Europe or extend environmental assessment into other EU policy areas.
The necessity of a convergence in environmental and development agendas must be recognised by the respective advocates in order to live up to the challenges of both the Cardiff and Lisbon processes. This is especially true now, with the imminent and eminent threat of climate change and when the prospects of using environmental assessment (and other) tools to identify win-win opportunities are being increasingly considered (e.g. Stern Review). Convergence must occur interdepartmentally to begin with e.g. agreement between DG-ENV and DG-REGIO.

The WWV and EE case studies can provide useful lessons for future SF programming periods in terms of carrying out a successful consultation process and safeguarding environmental issues by permeating development authorities that ultimately lead to the desired type of integration – strategic.

The case studies have also demonstrated that a detailed account of the experiences from certain regions in implementing the Directive is far more insightful than a general review, for example, and brings life to evaluative research through the use of contextual narratives. If resources allow, case studies would be highly recommended for future effectiveness research, especially because they constitute a route towards identifying best practice cases which are crucial in the absence of adequate guidance.

While researching the two types of effectiveness – substantive and transactive – it became apparent that if a truly rounded view of effectiveness is to be obtained, interrelated issues of design, procedure, substance as well as transaction need to be explored collectively with special attention towards the political context within which they unfold. Effectiveness of the implementation of the Directive for the OPs was shown to be a function of these four variables and that it is influenced by the omnipresence of political issues. An important implication for future effectiveness research includes the consideration of the use of a multi-dimensional approach with attention afforded to potential underlying determining factors and the use of multiple data collection methods such as those that proved to reveal additional important information in the current dissertation.
REFERENCES


GRDP (Greening Regional Development Programmes partnership) (2007). *Beyond compliance: how regions can help build a sustainable Europe, a toolkit for integrating the environment into regional development.*


APPENDICES

APPENDIX 1:

**Interview with EU officials (semi-structured):**

If you are in agreement, I would like to tape the interview as an aide-memoire for the purpose of analysis.

**Warm-up:**
Please state current (or previous) employment position, duties and routine tasks required by your job. *(Note to self: in relation to SEA)*

- What are your responsibilities in relation to SEA?

**Main body:**
1. Were you involved in the drawing up and/or adoption of the SEA Directive?  
   - How?

2. In your opinion, why was the Directive not applied to plans and programmes financed by the Structural Funds to begin with?

3. Do you consider the application of SEA to the new Operational Programmes a
   - Big step or  
   - A moderate upgrade

   from the old assessment mechanism? *(Expand)*
   - Why?
   - Which would you say are the most important elements that contribute to the integration of environmental considerations within the new OPs that were previously absent? *(absent pre-Directive application)*

4. *(If you are permitted to answer)* to what extent would you say the application of SEA has influenced decisions relating to the new OPs submitted so far?
5. Up until now, have you received feedback from MSs indicating that the SEA process applied to the new OPs has brought about other instrumental and policy benefits?

(If unclear, mention examples. Otherwise allow respondent to contribute what he/she will. E.g.
- Greater awareness amongst practitioners,
- Better coordination amongst agencies,
- Improved acceptance of public involvement/input)

6. Have you, either directly or indirectly, received negative comments about the SEA process relating to:
   - Its usefulness
   - Amount of time required to carry out SEA
   - Financial resources required
   - Labour and skill resources required

   - In your view, are these comments justified?

Wrap-up

7. What is your overall feeling about the application of SEA to the new OPs?

(Allow respondent to contribute what he/she will, otherwise specify:
- Worthwhile/ dispensable
- A contentious issue, etc.)
APPENDIX 2:

Interview – West Wales and the Valleys/ East of England:

If you are in agreement, I would like to tape the interview as an aide-memoire for the purpose of analysis.

Warm-up:
1. - Please state your current occupation and job title. (Previous occupation if applicable)
   - Responsibilities in relation to ex-ante evaluation SEA and Operational Programmes

2. What was the comprehensive list of guidance documents used to apply the SEA Directive’s requirements to the new OP?

(Substantive):
3. At which stage of the OP development did the SEA process start?
   Would you say the two processes worked in parallel or followed individual timetables with little or no cross-cutting?

4. In your opinion, what was the level of collaboration between those preparing the OP and those preparing the SEA?

5. What is the comprehensive list of documents available for the decision-making process for the final version of the OP?

6. Were there either minor or significant changes to the OP as a result of the SEA?
   If yes:
   What type of changes?
   Why do you think these changes came about? Do you think they were the result of
   o A good quality, detailed SEA report?
   o Realistic consideration of alternatives?
   o Other
If no:
Why? Do you think this is a result of the
  o  Size
  o  Nature
  o  Funding
  of the programme?

7. Were there either minor or significant changes to the OP as a result of the consultation process?
   Why? (What were the results of the consultation process? Were changes owed to the volume or the contents of the responses?)

8. In your view, was the SEA useful or dispensable for deciding upon the final draft of the OP?
   What about the consultation process?

Transactive:
9. With regard to the old ex-ante evaluation mechanism, would you say that the SEA process required considerable more
   o  Time?
   o  Financial resources?
   o  Skills?
   If yes, was this additional investment worthwhile? Do you think environmental and other gains were/will be achieved at the least cost?

10. Do you believe that the application of SEA to the OP of interest prevents/will prevent environmental damage and social loss beyond what would be achieved without it?

11. Have you received positive/negative feedback or opinions, either directly or indirectly, from authorities, other groups and individuals involved with the SEA process?
   In your opinion, are these justified?
12. Apart from the expected outcomes of the Directive of higher environmental quality etc., do you see any other benefits (institutional, etc.) emerging from application of SEA to the programme? (e.g. additional partnerships and better communication)

Overall:
13. What is your overall view of the SEA process from your experience in its application to this ERDF OP? (merely a legal obligation, learning process, etc.?)
What is your view of the SEA process as compared to the previous ex-ante evaluation mechanism?

14. What is your view of the SEA Directive in general?

General queries: …

- Do you wish to remain anonymous within the research project?
- Do you require an electronic copy of the transcribed interview to make sure the answers reflect your views?
APPENDIX 3:

A. Sample of applied CHL1 to case study interview transcripts

<table>
<thead>
<tr>
<th>Criterion</th>
<th>EERA</th>
<th>GO</th>
<th>EA</th>
<th>EEDA</th>
<th>Comments</th>
</tr>
</thead>
</table>
| Incorporation of proposed changes | ?    | ?   | ?   | ~    | **EERA**: “I think it is a bit of an apple-pie process; it seemed to be going quite straightforwardly and we did not have many criticisms to make” – it appears the RA did not propose any amendments to be considered in the OP.  
**GO1**: “difficult to single out exactly what the impact had been”, “There were some changes but I am not exactly sure…what the overall influence was”, “the SEA process…has had a bearing on the programme”  
**GO2**: “Because the SEA was developed alongside the OP it was not really a case of changes being made to the programme itself. It was more of an inclusive process”.  
**EA2**: According to the respondent both statutory and public consultation suggestions were taken on board including the incorporation of a meta-theme on ‘low carbon economic growth’ which recognises regional growth needs (coastline etc.).  
**EEDA**: “I cannot recall a significant change being made but probably because it is evolution rather than anything else”, “because of our partners around the table, we would have to think of these things anyway”. Ensuring that ‘sustainable communities’ were part of the programme was one of the major changes. |
| Informed decision-making          | ?    | ✓   | ✓   | ✗    | **EA1**: The interviewee was very sceptical about how the SEA document influenced the final version of the OP. He/she believed that there was a lack of understanding of how one should inform the other.  
**EA2**: The respondent stated that the SEA was useful in informing the OP, as were the comments that came alongside it from the statutory and public |
## B. Sample of applied CHL2 to DG-ENV interview transcripts

<table>
<thead>
<tr>
<th>SEA IMPLEMENTATION</th>
<th>Criterion</th>
<th>Unstructured Interviews (UI)</th>
<th>Semi-structured Interviews (SI)</th>
<th>Comments</th>
</tr>
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<tr>
<td></td>
<td></td>
<td>1</td>
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<td>Sound implementation</td>
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APPENDIX 4:

A. Interview text coding scheme (Case study interview transcripts)

<table>
<thead>
<tr>
<th>CATEGORY</th>
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</tr>
</thead>
<tbody>
<tr>
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<td>Implementation documents used</td>
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<tr>
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<td>CONS</td>
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<td>Proposed changes</td>
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<td>Parallel development</td>
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<td>SEA initiation</td>
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<td>Money</td>
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<td>OP/SEA characteristics</td>
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<tr>
<td>Outcome (benefits/disbenefits, learning, etc.)</td>
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☐ Fact
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### B. Interview text coding scheme (DG-ENV interview transcripts)

<table>
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<tr>
<td>2. MS implementation</td>
<td>MS-IMP</td>
</tr>
<tr>
<td>3. Influence of SEA on OP</td>
<td>INF</td>
</tr>
<tr>
<td>4. Regional context/characteristics</td>
<td>REGIO</td>
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<tr>
<td>5. MS attitude</td>
<td>MS-ATT</td>
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<tr>
<td>6. SEA usefulness</td>
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<td>7. OP/SEA characteristics</td>
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<td>8. Old ex-ante</td>
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<td>9. Directive</td>
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<td>10. Outcome (benefits/disbenefits, learning etc.)</td>
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- □ Fact
- ○ Opinion