

Our Ref: PCS111902/er/SB  
SG Ref: SEA00453

Lesley Deans  
Principal Transport Planner  
Environmental Services  
Kilncraigs  
Greenside Street  
Alloa  
FK10 1EB

By email: [sea.gateway@scotland.gsi.gov.uk](mailto:sea.gateway@scotland.gsi.gov.uk)

7 February 2011

Dear Ms Deans

**Environmental Assessment (Scotland) Act 2005  
Clackmannanshire Council Local Transport Strategy 2010-2014– Environmental Report**

Thank you for your Environmental Report consultation submitted under the above Act in respect of the Clackmannanshire Local Transport Strategy. This was received by SEPA via the Scottish Government SEA Gateway on 8 October 2010.

We have used our scoping consultation response of 16 November 2009 to consider the adequacy of the Environmental Report and this is used as the framework for detailed comments which can be found in Appendix 1. Please note, this response is in regard only to the adequacy and accuracy of the Environmental Report and any comments we may have on the strategy itself will be provided separately.

As the strategy is finalised, Clackmannanshire Council as the Responsible Authority, will require to take account of the findings of the Environmental Report and of views expressed upon it during this consultation period. As soon as reasonably practical after the adoption of the plan, the Responsible Authority should publish a statement setting out how this has occurred. We normally expect this to be in the form of an "SEA Statement" similar to that advocated in the Scottish Government SEA templates and toolkit which is available at [www.scotland.gov.uk/Publications/2006/09/13104943/13](http://www.scotland.gov.uk/Publications/2006/09/13104943/13). A copy of the SEA statement should be sent to the Consultation Authorities via the Scottish Government SEA Gateway on publication.

If you wish to discuss anything in this response please do not hesitate to contact me on 0131 273 7333 via our SEA Gateway at [sea.gateway@sepa.org.uk](mailto:sea.gateway@sepa.org.uk).

Yours sincerely

Dr Sofia Billett  
Senior Planning Officer (SEA)  
Planning Service- Edinburgh  
Enc

## **Appendix 1: Comments on the Environmental Report**

### **General comments**

1. We consider that the Environmental Report provides a clear assessment of the potential significant environmental effects of the Clackmannanshire LTS. We also consider that the comments provided in our scoping response have largely been taken into account in the preparation of the Environmental Report. We provide some minor detailed comments below regarding the proposed mitigation measures. For ease of reference the comments reflect the structure of the Environmental Report.

### **Detailed comments**

#### **Non-technical Summary**

2. We consider that the non-technical summary (NTS) provides a clear summary of the findings of the Environmental Report. Please note that the NTS should cover the information required under paragraphs 1 to 9 of Schedule 3 of the Environmental Assessment (Scotland) Act 2005.
3. We consider that generally the comments provided in our scoping response have been taken into account in the preparation of the Environmental Report and we welcome the inclusion of a summary of the comments received on the scoping report from the Consultation Authorities, and how these comments have been taken into account in the preparation of the Environmental Report (Appendix B).

#### **Introduction & Context for the SEA**

4. We found the background information provided in these sections useful. We note that the LTS is an update of the currently adopted Local Transport Strategy 2006-2009 and that the updated strategy will not significantly change in terms of aims, policies and objectives. Changes to the Strategy focus on the action plan which is designed to deliver transport across Clackmannanshire and is to be delivered over the next five years.
5. An overview of the relationship between the LTS and other International, National and Regional plans, policies and strategies is provided in Figure 1. Appendix A provides a detailed description of the relationship with other plans and strategies and environmental objectives. We are content with the list of plans, policies and environmental objectives that have been taken into account.
6. The relevant aspects of the current state of the environment have been considered to support the assessment process. A summary of the environmental baseline relevant to the Strategy is provided in Table 1 and the environmental problems affecting the Strategy area in Table 2. We consider that generally the relevant aspects of the environmental baseline have been considered in relation to the SEA topics within our remit. The evolution of the environment without the implementation of the Strategy is also provided.

#### **Assessment of the Environmental Effects**

7. We consider that the assessment methodology used is set out clearly, as well as the description of the alternatives considered. We welcome the clear approach to the

assessment, using a matrix based approach supported by the assessment commentary. We also welcome the link between significant environmental effects identified and proposed mitigation measures or further improvements.

8. The full assessment of alternative options against the SEA topics is provided in Appendix D and we generally agree with the rationale provided for the SEA topics within our remit.
9. We welcome the description of mitigation measures and modifications to the LTS and the mitigation and enhancement measures proposed for the SEA topics within our remit. We welcome the recommendations for strategy modifications as a result of the findings of the SEA in order to avoid significant environmental effects (as the top of the mitigation hierarchy). We also welcome the development of the "Transport and the Environment" report to assist in considering the environment as part of the LTS. We consider that this report provides a firm commitment to the delivery of the mitigation measures identified through the SEA process. It would have been helpful to have referred to this document as part of this section and you may wish to include this reference in the SEA statement.
10. We welcome the mitigation measures proposed for the water environment and in relation to potential flood risk we welcome the commitment to avoidance of development on floodplain as the primary mitigation measure.
11. We note the specific reference in the "Transport and the Environment" report to water status and the Council duties under the Water Framework Directive and the River Basin Planning Process. In order to strengthen the mitigation measures relating to the water environment you may wish to include a clear reference to the requirement to comply with the River Basin Management Plan (RBMP) for the Scotland River Basin District and the Forth Area River Basin Management Plan in terms of both protecting and improving the water environment. The water environment within the Strategy area should be safeguarded from deterioration and wherever possible restored to good status.
12. As well as supporting the use of SUDS, the "Transport and the Environment" report should also highlight the potential for transport infrastructure to result in physical impacts on the water environment (such as culverts or engineering of water courses) and provide a clear reference to the need to avoid such impacts. We would also welcome a reference to the need to comply with the Water Environment (Controlled Activities) (Scotland) Regulations 2005 (as amended).
13. Opportunities for enhancement of the water environment, in line with the objectives of the RBMP e.g. removal of engineering structures such as culverts, would also benefit from a clear reference the "Transport and the Environment" report. This would ensure that the mitigation measures described in Table 6 of the Environmental Report are fully implemented through the LTS.
14. In terms of mitigation measures relating to air quality, please note measures should be put in place to avoid implementing Air Quality Management Areas (AQMAs). AQMAs are designated when air quality limits to protect human have been exceeded. Exceedance of environmental limits should be considered a significant adverse environmental effect. Mitigation measures should therefore refer to measures that will prevent exacerbating air quality problems and for the Clackmannanshire area this may require looking at traffic hotspots or bottlenecks through modelling and putting measures in place to avoid exacerbating air pollution in these areas.

**Monitoring  
Next Steps**

15. We welcome the early consideration of monitoring requirements and are generally content with the proposed SEA indicators. The chosen indicators may need to be further targeted to monitor the potential environmental effects likely to result from the LTS and as far as possible they should establish a clear link between implementation of the strategy and the identified effects to the environment. Although we support, wherever possible and appropriate, the use of existing monitoring frameworks and indicators to be used effectively to meet the SEA monitoring requirements, it is important that, as far as possible, the indicators adequately reflect the likely effects of the plan.
16. As an example, please note that it may be difficult to link the general ecological status of the water bodies within Clackmannanshire directly to effects of the implementation of the LTS. Other factors may intervene to affect this indicator, so if possible changes in status should be linked to LTS projects.
17. Equality, it may be more meaningful to monitor the number of transport interventions in areas at risk of flooding and number of transport infrastructure affected by flooding events.