

TAYSIDE & CLACKMANNANSHIRE

Tel: 01738 458582(direct line)
Fax: 01738 458616
e-mail addresses: denise.reed@snh.gov.uk

Martin Dean
Access and Countryside Project Officer
Clackmannanshire Council
Kilncraigs
Greenside Street
ALLOA
Clackmannanshire
FK10 1EB

Our ref: PF 075/07-08

24 July 2007

Dear Mr Dean

**Environmental Assessment of Plans and Programmes (Scotland) Act 2005:
Clackmannanshire Council's Core Path Plan Screening Determination**

I refer to your screening consultation submitted on 6 July 2007 via the Scottish Executive SEA Gateway in respect of the above plan.

In accordance with Section 9(3) of the Environmental Assessment (Scotland) Act 2005, SNH has considered your screening report using the criteria set out in Schedule 2 for determining the likely significance of effects on the environment.

SNH's view in respect of each of these criteria is set out in Annex 1 attached. Accordingly, SNH agrees that the above Plan is likely to have significant environmental effects. Annex 1 also provides a list of information that it would be helpful for SNH to receive at the scoping stage.

Please note that this consultation response provides a view solely on the potential for the plan or programme to have significant environmental effects. SNH cannot comment on whether or not the plan or programme meets other criteria determining the need for SEA as set out in the Act.

It would be helpful to receive an indicative timescale for implementing the SEA.

Should you wish to discuss this screening determination, please do not hesitate to contact Carolyn Deasley on (01738) 458583 or via SNH's SEA Gateway at sea.gateway@snh.gov.uk

Yours sincerely

Denise Reed (Mrs)
Operational Manager

cc Scottish Executive SEA Gateway
Historic Scotland Gateway
SEPA Gateway

ANNEX 1

SCHEDULE 2

CRITERIA FOR DETERMINING THE LIKELY SIGNIFICANCE OF EFFECTS ON THE ENVIRONMENT

Schedule 2 Criteria	Section 8(1) determination - Are significant environmental effects likely ? <i>(Responsible Authority's assessment)</i>	SNH's Assessment under Section 9(3) Yes/No/Unknown	SNH's Comments And Additional Information
1. The characteristics of plans and programmes, having regard , in particular to:			
(a) the degree to which the plan or programme sets a framework for projects and other activities, either with regard to the location, nature, size and operating conditions or by allocating resources;	No		
(b) the degree to which the plan or programme influences other plans and programmes including those in a hierarchy;	Uncertain		
(c) the relevance of the plan or programme for the integration of environmental considerations in particular with a view to promoting sustainable development;	Uncertain	Yes	We agree with the Responsible Authority's (RA's) assessment that the CPP will contribute to sustainable development. It could potentially help manage pressure on environmentally sensitive sites. Criteria used to select Core Paths should also help to avoid or mitigate land management conflicts.
(d) environmental problems relevant to the plan or programme;	Uncertain	Yes	We agree with the RA's assessment that potential exists for potential damage and disturbance to the natural heritage, in particular disturbance to birds on inland wetlands and the Estuary. To avoid/reduce these impacts, effective dissemination of information and assessment of sensitivities to be included at early stage of in core path planning.
(e) the relevance of the plan or programme for the implementation of Community legislation on the environment (for example plans and programmes	No	Uncertain	The Plan may show routes affecting the Firth of Forth SPA and Ramsar site. If likely to have a significant effect, an appropriate assessment will be required.

linked to waste management or water protection);			European Protected Species, especially otter and possibly bats should also be considered.
2. Characteristics of the effects and of the area likely to be affected, having regard, in particular, to -			
(a) the probability, duration, frequency and reversibility of the effects;	Uncertain	Uncertain	Dependent on proposals developed. The plan has the potential for higher environmental impact if paths are introduced in more sensitive sites; selecting appropriate routes, monitoring, management and maintenance measures should seek to minimise these. Certain attractive path routes e.g. along watercourses can be particularly sensitive to disturbance and pollution.
(b) the cumulative nature of the effects;	Uncertain	Uncertain	There is the potential for cumulative effects due to the nature of the proposals; further assessment and ongoing monitoring will be required.
(c) the transboundary nature of the effects (<i>in UK international cases</i>)	No	No	
(d) the risks to human health or the environment (for example due to accidents);	No	Uncertain	Potential risks to the environment are as outlined above, both during implementation of the Plan and during subsequent use and maintenance of routes. Impacts, both positive and negative, on access and amenity should also be included.
(e) the magnitude and spatial extent of the effects (geographical areas and size of the population likely to be affected);	No	No	Unlikely but more detail is required to ascertain magnitude of extent of the effects.
(f) the value and vulnerability of the area likely to be affected due to:			
i. special natural characteristics or cultural heritage;	Uncertain	Uncertain	Clackmannanshire contains designated sites, including SPAs and SSSIs. The

			Council also has obligations in relation to EPS and LBAP habitats and species.
ii. exceeded environmental quality standards or limit values; or	No	No	
iii. intensive land-use; and	No	No	
(g) the effects on areas or landscapes that have a recognised national, Community or international protection status.	Uncertain	Uncertain	The plan area contains locally important landscapes. Many of these are also locations which are most likely to be desired for developing access, such as upland areas in the Ochils, stretches of the rivers/burns and water bodies such as Gartmorn Dam. These could be affected by new paths, their ongoing maintenance and associated infrastructure. Effects could also be positive and involve the reinstatement of valued features (e.g. walls, hedges).

Comments on information needed at the Scoping Stage

In making scoping requests, Responsible Authorities are encouraged to provide the following information:

1 Context

a The Plan

- Plan name, area covered, period covered, timescales for preparation
- Legal requirement for plan
- Plan purpose, subject and proposed objectives
- Relationship with other relevant Plans and Programmes

b The Area

- Summary of existing environmental problems in the area/sector covered by the plan or programme and relevant aspects of the current state of the environment
- Summary of likely future changes to environment without the plan
- Environmental characteristics of areas likely to be significantly affected by the plan or programme
- Relationship with existing environmental objectives relevant to the plan or programme. These may be European objectives set by Directives, national objectives set by legislation or policy or they may be local/regional objectives

2. Scope

a Scope and Level of Detail

- Summary of the environmental issues to be considered in the Environmental Report with justifications
- Summary of any environmental issues not to be considered in the Environmental Report with justifications
- Summary of the proposed level of detail of assessment – e.g. will the assessment focus on very detailed policies in the plan, or just strategic objectives?

b Alternatives & Mitigation

- Where possible, a summary of intended approach to assessing alternatives (e.g. type and scale of alternatives that may be assessed)
- Where possible, the proposed approach for identification of mitigation

3. Methods

a Assessment Method

- A brief summary of the proposed approach to the assessment which might include:
 - Summary of existing work to date
 - Proposed (draft) SEA objectives
 - Proposed approach to assessment including use of SEA objectives
 - Proposed (draft) indicators

4. Next Steps

a Consultation

- Proposed consultation period for the Environmental Report