



**PERTH &
KINROSS
COUNCIL**

Perth & Kinross – Forest Plan Record of Habitats Regulations Appraisal

September 2014



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GLOSSARY & ACRONYMS

Appropriate Assessment (AA)	Is the formal assessment by the competent authority of the impacts of a plan or project (which is not directly connected to the management of the site for nature conservation, and is likely to have a significant effect on the site) on the integrity of a Natura 2000 site (a Special Area of Conservation (SAC), Special Protection Area (SPA) and Ramsar Sites)
Baseline	Data that describe qualifying interests and conditions of the Natura 2000 sites at the inception of the Habitats Regulations Appraisal.
Birds Directive	Directive 2009/147/EC of the European Parliament and of the Council on the conservation of wild birds, more commonly referred to as the 'Birds Directive'. Under this Directive member states have the power and responsibility to identify and classify Special Protection Areas (SPAs) in order to protect birds that are rare and vulnerable in Europe.
Competent Authority	Any body that has the power to undertake or give any consent, permission or other authorisation for a plan or project e.g. local authorities.
Conservation Objectives	Conservation Objectives are the reason why a site has been classified or designated. They are intended to be benchmarks against which plans and projects are assessed in order to determine whether they will not have an effect on the integrity of a site. Furthermore, they ensure that the obligations of the Directive in relation to Natura 2000 sites are met, and that the integrity of the site is maintained.
Examination	If representations have been made to a planning authority about the local development plan being prepared for their area, and any matters of dispute have not been resolved, the planning authority must submit the plan to the Scottish Ministers for examination. Ministers will appoint a person, or persons to carry out the examination.
Habitats Directive	Council Directive 92/43/EEC on the conservation of natural habitats and of wild fauna and flora was adopted in 1992 and is commonly referred to as the Habitats Directive. As well as establishing European sites and setting out how they should be protected, the Directive has a number of wider implications, for example in respect of European Protected Species.
Habitats Regulations	The European Habitats Directive was translated into law in Great Britain through the Conservation (Natural Habitats, &c.) Regulations 1994 (as amended), which is typically referred to as 'the Habitats Regulations'. This legislation covers both the requirements for protected European (Natura) sites and European Protected Species, along with other aspects of the Directive.
Habitats Regulations Appraisal (HRA)	The Habitats Regulations require competent authorities to carry out appropriate assessments in certain circumstances where a plan or project affects a European site. Habitats Regulations Appraisal refers to the whole process, including the appropriate assessment stage.
In Combination/Cumulative Effect(s)	The effects that result from changes caused by the plan or project in association with other past, present or

	reasonably foreseeable future plans and actions. Cumulative impact can result from individually minor but collectively significant actions taking place over a period of time.
Integrity	The integrity of a site is the coherence of its ecological structure and function, across its whole area that allows it to sustain the habitat, complex of habitats and/or the levels of populations of species for which it was classified.
Local Development Plan (LDP)	LDPs set out where most new developments will happen and policies that will guide decision making on planning applications.
Mitigation Measures	In terms of HRA, these are measures to avoid, cancel or reduce the effects of a plan on a European site which should be proposed as part of the plan and which the plan-making body will take into account in the Habitats Regulations Appraisal. They are described in more detail in the David Tyldesley guidance, 'Habitats Regulations Appraisal of Plans: Guidance for Plan-making Bodies in Scotland'.
Natura 2000 Network	Under the EU Habitats Directive SACs and SPAs are together intended to form a Europe-wide network of protected areas designed to maintain or restore the distribution and abundance of species and habitats of EU interest. Many areas qualify for both SAC and SPA designation and as a matter of Scottish Government policy sites designated under the Ramsar Convention are afforded the same level of protection.
Qualifying Interests	The reasons why the European site has been recommended for designation.
Precautionary Principle	The assumption that an activity or development might be damaging unless it can be proved otherwise.
Screen/Screening	The process of deciding whether or not a plan or project requires an Appropriate Assessment.
Likely Significant Effect	A likely effect is one that cannot be ruled out on the basis of objective information. The test is a likelihood of effects as opposed to a certainty of effects. In the Waddenzee case, the European Court of Justice ruled that a project should be subject to appropriate assessment <i>"if it cannot be excluded, on the basis of objective information, that it will have a significant effect on the site, either individually or in combination with other plans and projects"</i> ¹ . Likely in this context should be interpreted as whether a significant effect can objectively be ruled out, rather than as 'probable' or 'more likely than not'.
Site Condition	Sites are designated for their nature conservation features (habitats, species or geology) of special interest. As part of national and UK reporting, SNH undertakes a rolling six year programme of Site Condition Monitoring (SCM) to monitor the condition of these features. The purpose of SCM is to determine the condition of the designated natural feature within the site, and the likelihood of it maintaining itself in the medium to longer terms under the current site management regime. Where features are not in favourable condition, SNH and land managers can hold discussions on potential remedial actions, where these

¹ Paragraph 45 of European Court of Justice Case C-127/02, 7 September 2004, 'the Waddenzee case'

Sites of Special Scientific Interest (SSSIs)	<p>are possible.</p> <p>SSSIs are those areas of land and water that Scottish Natural Heritage (SNH) considers to best represent our natural heritage, due to the diversity of plants, animals and habitats, rocks and landforms, or a combination of such features present. SNH designate such sites under the Nature Conservation (Scotland) Act 2004 and they are protected by law.</p>
Special Areas of Conservation (SACs)	<p>A SAC is a site designed under the Habitats Directive. They are selected for a number of habitats and species, both terrestrial and marine, which are listed in the Habitats Directive.</p>
Special Protection Areas (SPAs)	<p>A SPA is a site designated under the Birds Directive. They are selected for a number of rare, threatened or vulnerable bird species listed in Annex 1 of the Directive, and also for regularly occurring migratory species.</p>

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1 INTRODUCTION

- 1.1 Article 6(3) of the Habitats Directive requires that any plan or project, which is not directly connected with, or necessary to the management of a European site, but would be likely to have a significant effect, either alone or in combination with other plans or projects, should be subject to an appropriate assessment.
- 1.2 The Perth and Kinross Forest Plan which covers 36 woodlands totalling 256 ha is subject to such an assessment. This means that the Plan can only be approved once it has been determined, following an assessment, that it will not adversely affect the integrity of a Natura 2000 site.

Legislative Requirement for Habitats Regulations Appraisal (HRA)

- 1.3 Natura 2000 is a network of protected sites across the European Community which comprises Special Areas of Conservation (SACs) and Special Protection Areas (SPAs). They are also referred to as European sites.
- 1.4 Under the European Directive 2009/147/EC on the conservation of wild birds, more commonly referred to as the 'Birds Directive', member states have the power and responsibility to identify and classify Special Protection Areas (SPAs) in order to protect birds that are rare and vulnerable in Europe.
- 1.5 Special Areas of Conservation (SACs) are protected sites designated under the Directive on the conservation of natural habitats and wild fauna and flora (92/43/EEC), more commonly known as the 'Habitats Directive'. They are high quality sites that contribute significantly to the conservation of a large range of habitats and species.
- 1.6 In October 2005, the European Court of Justice ruled² that development plans in the United Kingdom (UK) should be subject to assessment in the same way as projects require assessment under the provisions of Article 6(3) and (4) of the Habitats Directive. The requirement to consider the effect of land use plans on European sites has been transposed into Scottish law through the Conservation (Natural Habitats, &c.) Regulations 1994 as amended.
- 1.7 Under Regulation 85B of the Habitats Regulations, prior to submitting for approval a plan that is not directly connected with or necessary to the management of either a SPA or SAC, competent authorities are required to consider:

² Commission of the European Communities v United Kingdom of Great Britain and Northern Ireland, Case C 6/04 in the second chamber of the European Court of Justice, judgement 20 October 2005

- Whether the plan is likely to have a significant effect on such a site; and
- Where this is the case, that an appropriate assessment of the likely impacts has been carried out.

1.8 The precautionary principle is applied to SPAs and SACs (both designated and proposed) under the Habitats Directive, and plans and projects can only be approved after it has been established that there will be no adverse effect(s) on the integrity of the site(s) in question.

1.9 However, under the provisions of Article 6(4) of the Habitats Directive, where it cannot be demonstrated that a plan or project will not have an adverse effect on the integrity of a European site, it is only possible for it to proceed if there are no alternative solutions and there are imperative reasons of overriding public interest for doing so. In such instances any compensation measures shall be secured by Scottish Ministers to ensure the safeguarding of the overall coherence of the Natural 2000 network.

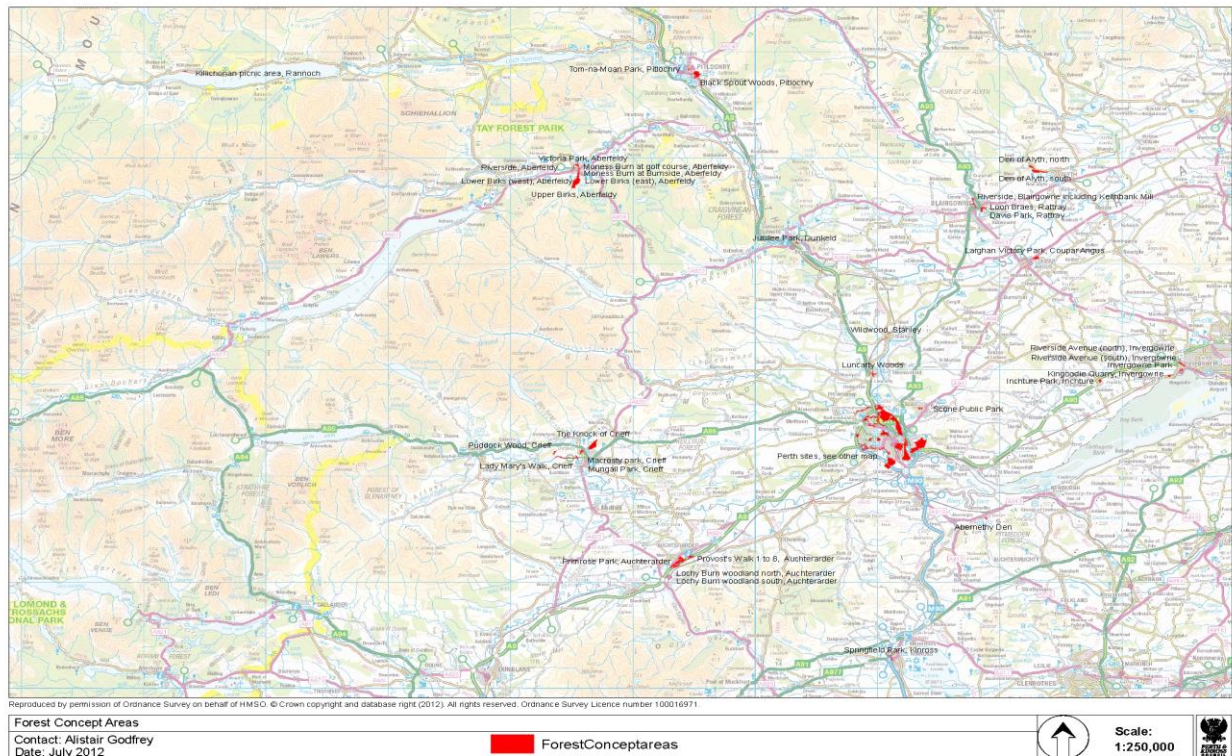
2 PLAN CONTEXT

The Perth and Kinross Forest Plan

The Area

2.1 The Perth and Kinross Forest Plan covers 36 woodland sites totalling 256 ha.

Map 2.1: Forest Plan Sites



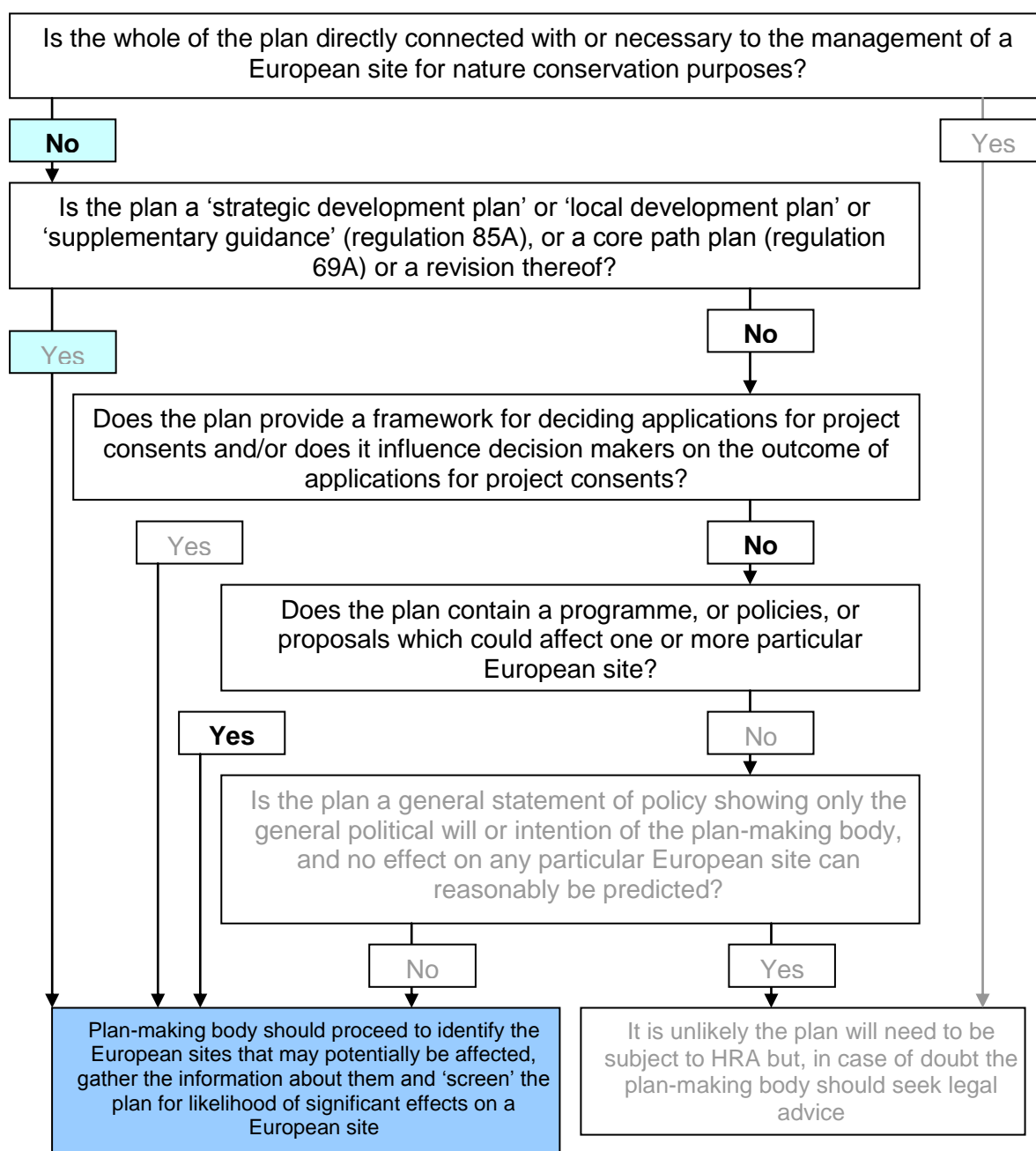
Proposed Plan

2.5 The Forest Plan is a management tool that sets out the operational objectives for managing the Councils woodlands that will create the desired outcome for the owners, users and stakeholders of the forest. The desired outcome is determined by the scoping process which has in turn been informed by standard forest management principles and site specific conditions. The plan covers the period 2014 – 2034.

3 IS THE PLAN SUBJECT TO HRA? Habitats Regulations Appraisal Determination

3.1 The first stage in the appraisal process for the Perth and Kinross Proposed Forest Plan is to establish whether or not the Plan should be subject to Habitats Regulations Appraisal. Figure 3.1 below sets out the steps followed in the determination process using Figure 3 of SNH's guidance³.

Figure 3.1: HRA Determination for the Perth and Kinross Proposed Plan



3.2 As the Forest Plan has sites adjacent and linked to a European site (River Tay and Tay Estuary) the Council has determined that it is subject to the

³ SNH Habitats Regulations Appraisal of Plans: Guidance for Plan-making Bodies in Scotland, David Tyldesley and Associates, August 2010

requirements of Article 6 of the Habitats Directive and Part IVA of the Habitats Regulations.

Appraisal Methodology

- 3.3** Due to the location of the woodlands and parks listed below this Habitats Regulations Appraisal has been undertaken in connection with the Proposed Plan.
- 3.4** The following guidance was used in carrying out the Appraisal:
- Managing Natura 2000 Sites: Provisions of Article 6 of the ‘Habitats’ Directive 92/43/EEC (European Communities, 2000)
 - SNH Habitats Regulations Appraisal of Plans: Guidance for Plan-making in Scotland (David Tyldesley and Associates, August 2010)
 - Habitats Regulations Appraisal (HRA) Advice Sheet: Screening general policies and applying simple mitigation measures – Advice Sheet No.2 (The Scottish Government, 2012)
- 3.5** The methodology adopted for the appraisal of the Proposed Forest Plan, which followed the approach outlined in the 2010 guidance is set out in Stages 1-10 below:
1. HRA requirement determination
 2. Identify the European sites that should be considered in the appraisal using a spatial approach i.e. by carrying out a spatial search in GIS
 3. Compile relevant baseline information about those European sites, including details of qualifying interests, conservation objectives and site condition using SNH’s *Sitelink*
 4. Screen the Proposed Plan’s Vision and Key Objectives, policies and guidance, and proposals for likely significant effects, alone, on a European site
 5. Undertake an internal ‘in combination’ assessment of those elements of the Plan which have been previously screened out under Step 4 above as having ‘de minimis’ effects
 6. Identify and undertake an ‘in combination’ assessment of external plans and projects to determine any potential significant cumulative effects.
 7. Apply straightforward⁴ mitigation measures, where applicable, to remove likely significant effects identified at Stages 4-7 above.

⁴ Such as those examples shown at paragraph 4.39, page 21 of SNH Habitats Regulations Appraisal of Plans: Guidance for Plan-making Bodies in Scotland, David Tyldesley and Associates, August 2010

8. Rescreen the Proposed Plan to determine if any likely significant effects remain after applying mitigation, and whether as a result an appropriate assessment is required.
9. Carry out the Appropriate Assessment of the implications of the Plan for the sites where a likely significant effect has been identified, in view of their conservation objectives.

4 BASELINE INFORMATION

- 4.1** An analysis of the baseline information shows that the Perth and Kinross area contains, either wholly or partially, 21 SACs and 8 SPAs. The majority of the 36 Forest Plan sites are not within, do not link to, and are not adjacent to the 21 SAC's and 8SPA's. However all 36 Forest Plan sites are included in the lists that follow to ensure that any potentially significant effects of the Forest Plan are considered.
- 4.2** No site proposals in the Forest Plan have been identified through the screening process as having the potential to significantly impact upon any European site.

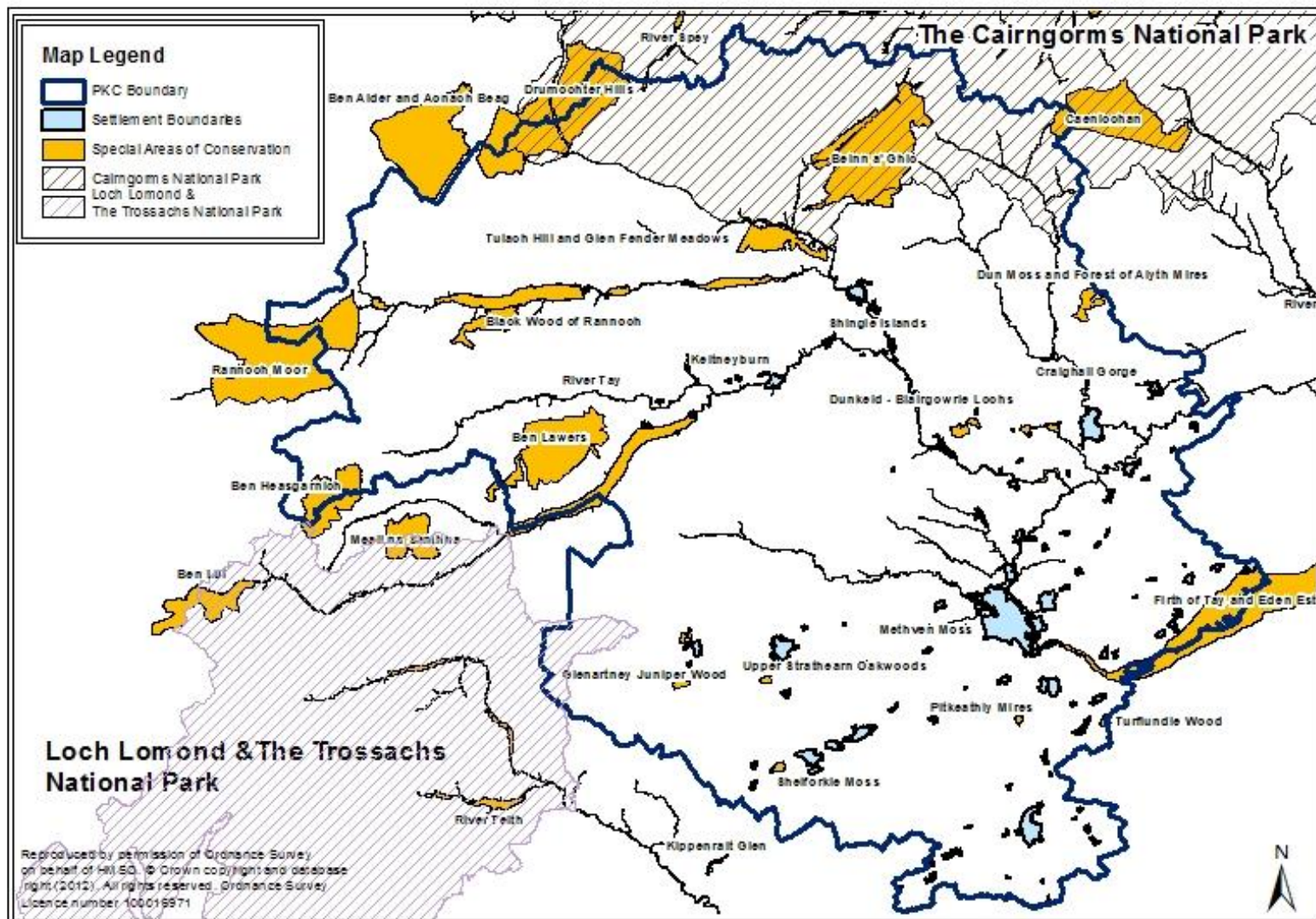
Special Areas of Conservation (SACs)

- 4.3** SACs are designated under the 'Habitats Directive' and are internationally important for threatened habitats and species. Table 4.1 below sets out the list of SACs within and neighbouring the Perth and Kinross area, and Map 4.1, which follows, shows their location.

Table 4.1: SACs within and adjacent to the Perth and Kinross Area

SAC Site Name	Relevant PKC Forest Plan Sites
Beinn a' Ghlo	None
Ben Alder and Aonach Beag	None
Ben Heasgarnich	None
Ben Lawers	None
Black Wood of Rannoch	None
Caenlochan	None
Craighall Gorge	None
Drumochter Hills	None
Dun Moss and Forest of Alyth Mires	None
Dunkeld – Blairgowrie Lochs	None
Firth of Tay and Eden Estuary	Kingoodie Quarry
Glenartney Juniper Wood	None
Keltneyburn	None
Methven Moss	None
Pitkeathly Mires	None
Rannoch Moor	None
River Spey	None
Shelforkie Moss	None
Shingle Islands	None
Tulach Hill and Glen Fender Meadows	None
Turflundie Wood	None
Upper Strathearn Oakwoods	None

Map 4.1: SACs within and adjacent to the Perth and Kinross Area



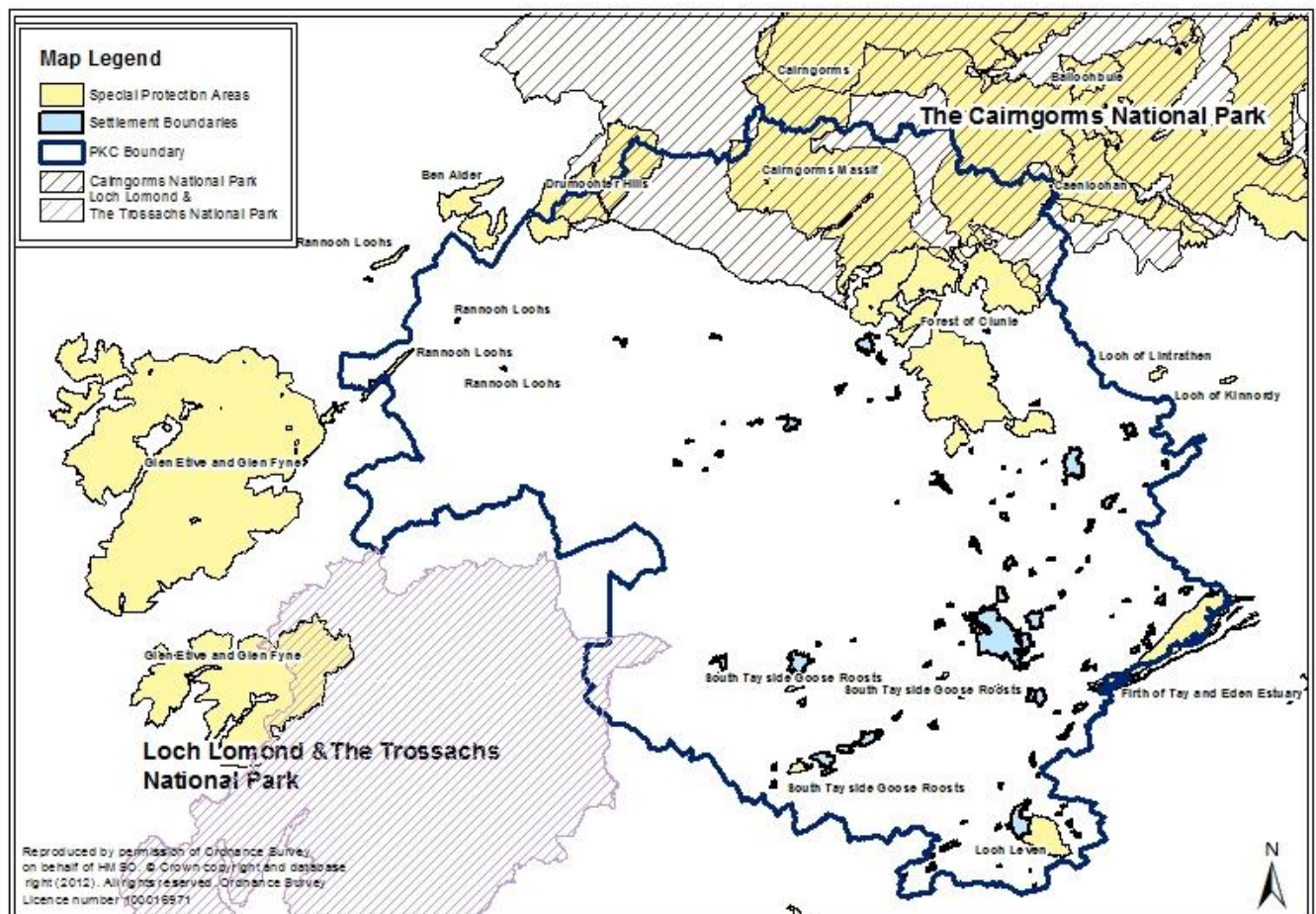
Special Protection Areas (SPAs)

- 4.4** SPAs are sites designated under the 'Birds Directive' and are selected for a number of rare, threatened or vulnerable birds listed under Annex 1 of the Directive and also for regularly occurring migratory species. Table 4.2 below provides a list of SPAs within and adjacent to the Perth and Kinross area, and Map 4.2, on the following page shows their location.

Table 4.2: SPAs within and adjacent to the Perth and Kinross Area

SPA Site Name	Relevant PKC Forest Plan Site
Caenlochan	None
Cairngorms	None
Cairngorms Massif	None
Drumochter Hills	None
Firth of Tay and Eden Estuary	Kingoodie Quarry
Forest of Clunie	None
Loch Leven	None
Rannoch Lochs	None
South Tayside Goose Roosts	None

Map 4.2: SPAs within and adjacent to the Perth and Kinross Area



5 SCREENING PROCESS

- 5.1** The following tables represent the screening exercise in relation to the Forest Plan sites. There are two reasons why sites have been screened out from the need for further assessment. These reasons and their relevant colour-coding are set out in Table 5.2 to follow.

Table 5.1: Reasons for Screening ‘Out’ the Plan’s Proposals

Reason for Screening Determination	Colour Coding
(a) Proposals which make provision for change but which could have no conceivable effect on a European site, because there is no link or pathway between them and the qualifying interests, or any effect would be a positive effect, or would not otherwise undermine the conservation objectives for the site;	
(b) Proposals which make provision for change but could have no significant effect on a European site, because any potential effects would be trivial, or ‘de minimis’ or so restricted that they would not undermine the conservation objectives for the site;	

Proposals

- 5.2** Table 5.2 below provides the results of the screening exercise for the Plan’s proposals for likely significant effects, alone, along with a brief reason for the determination reached.

Table 5.2: Screening of the Plan’s Proposals for likely significant effects, alone

Relevant Forest Plan Site	Screened In/Out	Reason for Screening Determination and Natura 2000 site likely to be affected
Perth & Kinross Council Forest Plan		
Inchtured Park	Out	<p>Screening Determination:</p> <p>(a) The Inchtured Park Forest Plan Proposals are not linked in any way to a European site.</p> <p>Justification:</p> <p>Due to the location of Inchtured Park and the work proposed there are no conceivable effects on a European site.</p>
Kingoodie Quarry	Out	<p>Screening Determination:</p> <p>(a) Kingoodie Quarry is situated within 200m of the Tay Estuary SPA however the proposed work as follows will not have any effect on the Tay Estuary:</p> <p>1) Sycamores will be gradually removed over a period of 20 years with seed bearing trees removed first. Three to four trees should be removed each year.</p> <p>2) Trees that are near the path will be felled and cut up and left as dead wood habitat on the forest floor. Trees that are away from the paths will be ring barked and left as standing deadwood.</p> <p>3) In addition, trees overhanging the pond will also be removed to reduce the nutrient levels.</p> <p>4) The small glades and wayleaves will be mown in late summer to</p>

Relevant Forest Plan Site	Screened In/Out	Reason for Screening Determination and Natura 2000 site likely to be affected
		<p>support the native wild flower populations.</p> <p><u>Justification:</u> The work proposed as described above will have no significant effect on the Tay Estuary SPA.</p>
Invergowrie Park	Out	<p><u>Screening Determination:</u> (a) The Invergowrie Park Forest Plan Proposals are not linked in any way to a European site.</p> <p><u>Justification:</u> Due to the location of Invergowrie Park and the work proposed there are no conceivable effects on a European Site.</p>
Invergowrie Roadside Strip	Out	<p><u>Screening Determination:</u> (a) The Invergowrie Roadside Forest Plan Proposals are not linked in any way to a European site.</p> <p><u>Justification:</u> Due to the location of Invergowrie Roadside Strip and the work proposed there are no conceivable effects on a European Site.</p>
Muirton and Inveralmond Woods Perth	Out	<p><u>Screening Determination:</u> (a) Muirton and Inveralmond Woods are situated within 100m of the River Tay SAC however the proposed work as follows will not have any effect on the River Tay SAC:</p> <p>Muirton Woods Selectively fell some of the spruce to allow in more light to help some ground flora develop.</p> <ol style="list-style-type: none"> 1) Cut up the felled trees and leave in-situ to provide 'natural play' equipment. 2) Undertake regular litter picking on the site. 3) Continue to leave wildflower areas in the grass. <p>Inveralmond Woods</p> <ol style="list-style-type: none"> 1) Improve the small larch plantation by cutting back some of the understory and removing some regeneration. 2) Thin the planted areas of trees by taking out 30% of the stand, favouring the non-native species for removal. The older blocks should be thinned in 2014/2015 with the younger blocks thinned in 2019/2020. <p><u>Justification:</u> The work proposed as described above will have no significant effect on the River Tay SAC.</p>
Bellwood and Norrie Miller Parks Perth	Out	<p><u>Screening Determination:</u> (a) Bellwood and Norrie Miller Parks are situated within 100m of the River Tay SAC however the proposed work as follows will not have any significant effect on the River Tay SAC:</p> <ol style="list-style-type: none"> 1) Continue to manage as a high quality parkland garden to the existing high standard. 2) Replace any dead or dying trees. Retain standing deadwood

Relevant Forest Plan Site	Screened In/Out	Reason for Screening Determination and Natura 2000 site likely to be affected
		<p>wherever possible.</p> <p>3) Treat Japanese knotweed with herbicide.</p> <p><u>Justification:</u> The work proposed as described above will have significant no effect on the River Tay SAC.</p>
Craigie Woods	Out	<p>(a) The Craigie Woods Forest Plan Proposals are not linked in any way to a European site.</p> <p><u>Justification:</u> Due to the location of Craigie Woods and the work proposed there are no conceivable effects on a European Site.</p>
Kinnoull Hill Perth	Out	<p><u>Screening Determination:</u> (a) The Kinnoull Hill Forest Plan Proposals are not linked in any way to a European site.</p> <p><u>Justification:</u> Due to the location of Kinnoull Hill and the work proposed there are no conceivable effects on a European Site.</p>
Moncrieffe Island Perth	Out	<p><u>Screening Determination:</u> Moncrieffe Island is located in the River Tay in Perth however the proposed work as follows will not have any significant effect on the River Tay SAC:</p> <ol style="list-style-type: none"> 1) Eradicate Himalayan Balsam. 2) Allow the woodland in the north to develop naturally with no intervention. 3) Undertake tree safety surveys on trees along the paths. <p><u>Justification:</u> The work proposed as described above will have no significant effect on the River Tay SAC.</p>
Oakbank and Burghmuir Perth	Out	<p><u>Screening Determination:</u> (a) The Oakbank and Burghmuir Forest Plan Proposals are not linked in any way to a European site.</p> <p><u>Justification:</u> Due to the location of Oakbank and Burghmuir Woods and the work proposed there are no conceivable effects on a European Site.</p>
St Magdalene's Hill Perth	Out	<p><u>Screening Determination:</u> (a) St Magdalene's Hill is not linked in any way to a European site.</p> <p><u>Justification:</u> Due to the location of St Magdalene's Hill and the work proposed there are no conceivable effects on a European Site.</p>
North Inch Perth	Out	<p><u>Screening Determination:</u> (a) The North Inch Park is located immediately adjacent to the River Tay SAC however the proposed work as follows will not have any significant effect on the River Tay SAC:</p> <ol style="list-style-type: none"> 1) Plant more fruit trees around the play areas. 2) Safety inspection of trees.

Relevant Forest Plan Site	Screened In/Out	Reason for Screening Determination and Natura 2000 site likely to be affected
		<p>3) Replace damaged or removed trees.</p> <p><u>Justification:</u> The work proposed as described above will have no significant effect on the River Tay SAC.</p>
South Inch Perth	Out	<p><u>Screening Determination:</u> (a) The South Inch Park Forest Plan Proposals are not linked in any way to a European site.</p> <p><u>Justification:</u> Due to the location of the South Inch Park and the work proposed there are no conceivable effects on a European Site.</p>
Tulloch Woods Perth	Out	<p><u>Screening Determination:</u> (a) The Tulloch Woods Forest Plan Proposals are not linked in any way to a European site.</p> <p><u>Justification:</u> Due to the location of Tulloch Woods and the work proposed there are no conceivable effects on a European Site.</p>
Viewlands Reservoir Park Perth	Out	<p><u>Screening Determination:</u> (a) The Viewlands Reservoir Forest Plan Proposals are not linked in any way to a European site.</p> <p><u>Justification:</u> Due to the location of Viewlands Reservoir and the work proposed there are no conceivable effects on a European Site.</p>
Jeanfield Cemetery Perth	Out	<p><u>Screening Determination:</u> (a) The Jeanfield Cemetery Forest Plan Proposals are not linked in any way to a European site.</p> <p><u>Justification:</u> Due to the location of Jeanfield Cemetery and the work proposed there are no conceivable effects on a European Site.</p>
Den of Alyth	Out	<p><u>Screening Determination:</u> The Alyth Burn runs through Alyth Den and is part of the River Tay SAC. However the proposed work as follows will not have any significant effect on the River Tay SAC:</p> <ol style="list-style-type: none"> 1) Gradually take out the beech and sycamore trees and remove the seedlings. 2) Increase the interpretation about the SSSI and Red Squirrel habitats. 3) Maximise structural diversity by fostering the understory and coppicing. 4) Maintain current levels of deadwood, both standing and on the ground. 5) Maintain and improve visitor facilities including paths, interpretation boards and benches. <p><u>Justification:</u> The work proposed as described above will have no significant effect on the River Tay SAC.</p>

Relevant Forest Plan Site	Screened In/Out	Reason for Screening Determination and Natura 2000 site likely to be affected
Larghan Park Coupar Angus	Out	<p><u>Screening Determination:</u> (a) The Larghan Park Forest Plan Proposals are not linked in any way to a European site.</p> <p><u>Justification:</u> Due to the location of Larghan Park and the work proposed there are no conceivable effects on a European Site.</p>
Scone Public Park	Out	<p>Screening Determination: (a) The Scone Park Forest Plan Proposals are not linked in any way to a European site.</p> <p>Justification: Due to the location of Scone Park and the work proposed there are no conceivable effects on a European Site.</p>
Keithbank and Riverside Park, Blairgowrie	Out	<p><u>Screening Determination:</u> (a) The River Erich flows through Riverside Park and below Keithbank and forms part of the River Tay SAC. However the proposed work as follows will not have any significant effect on the River Tay SAC:</p> <ol style="list-style-type: none"> 1) Manage the woodland areas to convert them to native woodland. 2) Maintain the filtered views of the River Erich. <p><u>Justification:</u> The work proposed as described above will have no significant effect on the River Tay SAC.</p>
Birks of Aberfeldy, and Victoria Park Aberfeldy	Out	<p><u>Screening Determination:</u> (a) The Moness Burn flows through the Birks of Aberfeldy and forms part of the River Tay SAC. However the proposed work as follows will not have any significant effect on the River Tay SAC:</p> <ol style="list-style-type: none"> 1) To gradually remove the beech by removing regeneration and selectively felling or ring barking (if the standing deadwood will not cause a hazard). 2) To encourage regeneration of the birch, oak and rowan by controlling the bracken. 3) To open up the canopy in the lower Birks and remove the sycamore. 4) Undertake frequent tree safety inspections <p><u>Justification:</u> The work proposed as described above will have no significant effect on the River Tay SAC.</p>
Blackspout Wood Pitlochry	Out	<p><u>Screening Determination:</u> (a) The Edradour and Kinnaid Burns bound with Black Spout Wood and flow into the River Tay SAC. However the proposed work as follows will not have any significant effect on the River Tay SAC:</p> <ol style="list-style-type: none"> 1) To increase structural diversity by selective thinning. 2) Increase tree species diversity and encourage a shrub layer. 3) Control Norway maple and sycamore.

Relevant Forest Plan Site	Screened In/Out	Reason for Screening Determination and Natura 2000 site likely to be affected
		<p>4) Sell some of the better quality oaks.</p> <p>5) Control invasive ground flora.</p> <p>6) Enhance the recreational potential of the wood.</p> <p>7) Enhance the appearance of the wood.</p> <p>8) Increase interpretation</p> <p><u>Justification:</u></p> <p>The work proposed as described above will have no significant effect on the River Tay SAC.</p>
Tom na Moan Park	Out	<p><u>Screening Determination:</u></p> <p>(a) The Tom na Moan Park Forest Plan Proposals are not linked in any way to a European site.</p> <p><u>Justification:</u></p> <p>(a) Due to the location of Tom na Moan Park and the work proposed there are no conceivable effects on a European Site.</p>
Luncarty Woods	Out	<p><u>Screening Determination:</u></p> <p>(a) The Luncarty Woods Forest Plan Proposals are not linked in any way to a European site.</p> <p><u>Justification:</u></p> <p>Due to the location of Luncarty Woods and the work proposed there are no conceivable effects on a European Site.</p>
Lady Marys Walk Crieff	Out	<p><u>Screening Determination:</u></p> <p>(a) The Lady Mary's Walk Forest Plan Proposals are not linked in any way to a European site.</p> <p><u>Justification:</u></p> <p>(a) Due to the location of Lady Mary's Walk and the work proposed there are no conceivable effects on a European Site.</p>
MacRosty Park, Mungall Park and Taylor Park Crieff	Out	<p><u>Screening Determination:</u></p> <p>(a) The Forest Plan Proposals for MacRosty Park, Mungall Park and Taylor Park Crieff are not linked in any way to a European site.</p> <p><u>Justification:</u></p> <p>Due to the location of MacRosty Park, Mungall Park and Taylor Park Crieff and the work proposed there are no conceivable effects on a European Site.</p>
Puddock Wood Crieff	Out	<p><u>Screening Determination:</u></p> <p>(a) The Puddock Wood Forest Plan Proposals are not linked in any way to a European site.</p> <p><u>Justification:</u></p> <p>Due to the location of Puddock Wood and the work proposed there are no conceivable effects on a European Site.</p>
The Knock Crieff	Out	<p><u>Screening Determination:</u></p> <p>(a) The Knock Crieff Forest Plan Proposals are not linked in any way to a European site.</p> <p><u>Justification:</u></p> <p>Due to the location of The Knock Crieff and the work proposed there are no conceivable effects on a European Site.</p>
Jubilee Park Dunkeld	Out	<p><u>Screening Determination:</u></p> <p>(a) Jubilee Park is situated immediately adjacent to the River Tay SAC. However the proposed work as follows will not have any significant effect on the River Tay SAC:</p> <p>1) Continue with tree safety surveys.</p>

Relevant Forest Plan Site	Screened In/Out	Reason for Screening Determination and Natura 2000 site likely to be affected
		<p>2) Work with surrounding landowners to convert the woodlands to native woodland.</p> <p><u>Justification:</u> The work proposed as described above will have no significant effect on the River Tay SAC.</p>
Provosts Walk and Primrose Park Auchterarder	Out	<p><u>Screening Determination:</u></p> <p>(a) The Provosts Walk and Primrose Park Forest Plan Proposals are not linked in any way to a European site.</p> <p><u>Justification:</u></p> <p>Due to the location of Provosts Walk and Primrose Park and the work proposed there are no conceivable effects on a European Site.</p>
Abernethy Glen	Out	<p><u>Screening Determination:</u></p> <p>(a) The Abernethy Glen Forest Plan Proposals are not linked in any way to a European site.</p> <p><u>Justification:</u></p> <p>Due to the location of Abernethy Glen and the work proposed there are no conceivable effects on a European Site.</p>
Springfield Park Kinross	Out	<p><u>Screening Determination:</u></p> <p>(a) The Springfield Park Forest Plan Proposals are not linked in any way to a European site.</p> <p><u>Justification:</u></p> <p>(a) Due to the location of Springfield Park and the work proposed there are no conceivable effects on a European Site.</p>

‘IN COMBINATION’ ASSESSMENT

- 6.1** The Directive requires that an appropriate assessment is undertaken of the Plan if it is likely to have a significant effect on a European site *“either individually or in combination with other plans or projects”*. This is because, even if the effects of the Plan alone would be either unlikely or insignificant, the combined effects of a number of plans, projects, policies or proposals could be significant. The ‘in combination’ assessment is therefore about dealing with ‘cumulative effects’.

Internal Assessment

- 6.2** The first part of the assessment, the ‘internal’ test, looks at those elements of the Plan which have been screened out previously in Section 5 under criteria **(b)**, i.e. *“Proposals which make provision for change but could have no significant effect on a European site, because any potential effects would be trivial, or ‘de minimis’ or so restricted that they would not undermine the conservation objectives for the site”*.
- 6.3** This is in order to establish whether or not the cumulative effect of those elements of the Plan is significant or not. Table 6.2 below set out the results of the assessment for all the Forest Plan sites. The screening determination in the matrix has been colour-coded as follows:

Table 6.1: Colour-Coding for ‘In Combination’ Assessment Screening Matrices

Colour-Code	Screening Determination
	Likely significant effect in combination
	No likely significant effect in combination
	‘De minimis’ effects in combination

Forest Plan ‘In Combination’ Assessment Results

- 6.4** Due to the nature of the work proposed for the Forest Plan sites and the overarching, low intervention, continuous cover management of the sites it is considered that all of the site proposals are likely to have no potential significant impacts in combination on any European site. No other potential cumulative effects on the qualifying interests of the SAC or SPA were identified.

Table 6.2: Internal ‘In Combination’ Assessment Screening Matrix of the Plan’s Proposals

Forest Plan Sites In Combination	Potential Significant ‘In Combination’ Effects on the European site
<i>All sites listed in the Forest Plan have been considered.</i>	<ul style="list-style-type: none"> No likely significant combination effects identified..

Other ‘De Minimis’ Proposals – None

External Assessment

- 6.5** This test looks at the effects of those elements of the Perth and Kinross Forest Plan screened out in Section 5 under the criteria of ‘de minimis’, in combination with those parts of neighbouring plans and projects, which have been subject to HRA, and where potential ‘de minimis’ effects have also been identified.

Conclusion

Having considered the work proposals on all the Forest Plan sites the Council has determined an external assessment as described above is not required.

As a result of the internal and external ‘in combination’ assessments, it is determined that the delivery of the Forest Plan will have no adverse cumulative effects on the qualifying interests of the SAC (River Tay) or SPA (Tay Estuary). Loch Leven SPA, through sedimentation of the loch due to the erosion of the banks of neighbouring watercourses, caused by increased river flow rates during periods of heavy rainfall. These proposals are therefore concluded to be likely to have a significant effect in-combination, and have been carried forward to the next stage in the assessment process.

7 APPLYING MITIGATION MEASURES AT SCREENING STAGE AND RESCREENING OF THE PROPOSED PLAN

Straightforward Mitigation Measures

- 7.1** The Council has identified from the screening process there will be no significant effects on any European site from the implementation of the Forest Plan.
- 7.2** The results of that exercise for the Plan's policies and guidance are set out in Table 7.1 below. For the majority of the relevant elements of the Plan screened in under Sections 5 and 6, it was concluded that no appropriate mitigation measures could be applied at this stage in the process to remove the likely significant effects identified on Natura 2000 sites through the screening process. Therefore those policies and guidance will go forward to the next stage in the process where an Appropriate Assessment will be undertaken of them.

Table 7.1: Applying 'Straightforward' Mitigation to the Plan's Proposals

Aspects of the Plan which it was not possible under Sections 5 and 6 to screen out as not being likely to have a significant effect on a European site, alone or 'in combination'	Mitigation measures applied in order then conclude that there would be no likely significant effect on a European site
<ul style="list-style-type: none">All Forest Plan sites	No appropriate mitigation measures required as no significant or conceivable effects were identified as a result of implementing the Forest Plan.

Rescreening of the Proposed Plan

- 7.3** Following the individual and in combination assessments of the Forest Plan it is concluded there are no policies, guidance and proposals requiring an Appropriate Assessment.

Table 7.3: Aspects of the Plan to be taken forward to Appropriate Assessment

None

8 APPROPRIATE ASSESSMENT

Not required

9 CONCLUSIONS

- 9.1 All Natura 2000 sites potentially affected by the Perth and Kinross Proposed Forest Plan) have been identified and mapped, and the Plan's policies, guidance and proposals, as well as the vision and key objectives, have been screened both individually and in combination to ascertain the potential effects on the integrity of these European sites that may occur as a result of the Plan's implementation.
- 9.2 Those elements of the Proposed Forest Plan that have been identified as having no effects, or are unlikely to have a significant effect alone, on the integrity of European sites have been highlighted in Tables 5.2, 5.3 and 5.5 of Section 5, and reasons for their screening determination provided.
- 9.3 No mitigation measures are required.
- 9.4 No policies, guidance and proposals likely to have a significant effect, alone or in combination, were identified as requiring an appropriate assessment
- 9.5 As a result, Perth & Kinross Council concludes that the implementation of the Forest Plan will either have no likely significant effects on Natura 2000 sites, either individually or in combination with other plans and projects, or will not adversely affect the integrity of European sites, either individually or in combination with other plans and projects.

10 APPENDICES

APPENDIX A Potentially Affected European sites, Qualifying Interests and Conservation Objectives

Table A.1: Special Conservation Areas

SPECIAL AREAS OF CONSERVATION (SACs)	
Firth of Tay and Eden Estuary	
Qualifying Interests:	Condition:
Estuaries	No information currently available
Intertidal mudflats and sandflats (Mudflats and sandflats not covered by seawater at low tide)	Favourable Maintained
Common seal (<i>Phoca vitulina</i>)	Unfavourable Declining
Subtidal sandbanks (Sandbanks which are slightly covered by sea water all the time)	Favourable Maintained
Conservation Objectives: To avoid deterioration of the qualifying habitats (listed below) thus ensuring that the integrity of the site is maintained and the site makes an appropriate contribution to achieving favourable conservation status for each of the qualifying features; and to ensure for the qualifying habitats that the following are maintained in the long term: <ul style="list-style-type: none"> ◆ Extent of the habitat on site ◆ Distribution of the habitat within site ◆ Structure and function of the habitat ◆ Processes supporting the habitat ◆ Distribution of typical species of the habitat ◆ Viability of typical species as components of the habitat ◆ No significant disturbance of typical species of the habitat 	
Qualifying Habitats: <ul style="list-style-type: none"> ◆ Estuaries ◆ Intertidal mudflats and sandflats ◆ Subtidal sandbanks 	
Conservation Objectives for Qualifying Species: To avoid deterioration of the habitats of the qualifying species (listed below) or significant disturbance to the qualifying species, thus ensuring that the integrity of the site is maintained and the site makes an appropriate contribution to achieving favourable conservation status for each of the qualifying features; and to ensure for the qualifying species that the following are maintained in the long term: <ul style="list-style-type: none"> ◆ Population of the species as a viable component of the site ◆ Distribution of the species within site ◆ Distribution and extent of habitats supporting the species ◆ Structure, function and supporting processes of habitats supporting the species ◆ No significant disturbance of the species 	
Qualifying Species: <ul style="list-style-type: none"> ◆ Common Seal 	
Qualifying Habitats: <ul style="list-style-type: none"> ◆ Active raised bogs* ◆ Degraded raised bogs 	
* Indicated priority habitat	
River Tay	
Qualifying Interests:	Condition:
River lamprey (<i>Lampetra fluviatilis</i>)	Favourable Maintained

Brook lamprey (<i>Lampetra planeri</i>)	Favourable Maintained
Otter (<i>Lutra lutra</i>)	Favourable Maintained
Clear-water lakes or lochs with aquatic vegetation and poor to moderate nutrient levels (Oligotrophic to mesotrophic standing waters with vegetation of the <i>Littorelletea uniflorae</i> and/or of the <i>Isoeto-Nanojuncetea</i>)	Favourable Maintained
Sea lamprey (<i>Petromyzon marinus</i>)	Favourable Maintained
Atlantic salmon (<i>Salmo salar</i>)	Favourable Maintained
Conservation Objectives for Qualifying Habitats: To avoid deterioration of the qualifying habitats (listed below) thus ensuring that the integrity of the site is maintained and the site makes an appropriate contribution to achieving favourable conservation status for each of the qualifying features; and to ensure for the qualifying habitats that the following are maintained in the long term: <ul style="list-style-type: none"> ◆ Extent of the habitat on site ◆ Distribution of the habitat within site ◆ Structure and function of the habitat ◆ Processes supporting the habitat ◆ Distribution of typical species of the habitat ◆ Viability of typical species as components of the habitats ◆ No significant disturbance of typical species of the habitat 	
Qualifying Habitats: <ul style="list-style-type: none"> ◆ Clear-water lakes or lochs with aquatic vegetation and poor to moderate nutrient levels 	
Conservation Objectives for Qualifying Species: To avoid deterioration of the habitats of the qualifying species (listed below) or significant disturbance to the qualifying species, thus ensuring that the integrity of the site is maintained and the site makes an appropriate contribution to achieving favourable conservation status for each of the qualifying features; and to ensure for the qualifying species that the following are maintained in the long term: <ul style="list-style-type: none"> ◆ Population of the species as a viable component of the site ◆ Distribution of the species within site ◆ Distribution and extent of habitats supporting the species ◆ Structure, function and supporting processes of habitats supporting the species ◆ No significant disturbance of the species 	
Qualifying Species: <ul style="list-style-type: none"> ◆ Atlantic salmon ◆ Brook lamprey ◆ Otter ◆ River lamprey ◆ Sea lamprey 	

Table A.2: Special Protection Areas

SPECIAL PROTECTION AREAS (SPAs)	
Firth of Tay and Eden Estuary	
Qualifying Features:	Condition:
Little tern (<i>Sternula albifrons</i>), breeding*	Unfavourable No Change
Marsh harrier (<i>Circus aeruginosus</i>), breeding*	Favourable Maintained
Oystercatcher (<i>Haematopus ostralegus</i>), non-breeding*	Favourable Recovered
Shelduck (<i>Tadorna tadorna</i>), non-breeding*	Favourable Maintained

Velvet scoter (<i>Melanitta fusca</i>), non-breeding*	Favourable Maintained
Grey plover (<i>Pluvialis squatarola</i>), non-breeding*	Favourable Maintained
Greylag goose (<i>Anser anser</i>), non-breeding*	Favourable Declining
Icelandic Black-tailed godwit (<i>Limosa limosa islandica</i>), non-breeding*	Favourable Maintained
Long-tailed duck (<i>Clangula hyemalis</i>), non-breeding*	Unfavourable Declining
Bar-tailed godwit (<i>Limosa lapponica</i>), non-breeding	Favourable Maintained
Common scoter (<i>Melanitta nigra</i>), non-breeding*	Unfavourable No Change
Cormorant (<i>Phalacrocorax carbo</i>), non-breeding	Favourable Maintained
Dunlin (<i>Calidris alpina alpina</i>), non-breeding*	Unfavourable No Change
Eider (<i>Somateria mollissima</i>), non-breeding*	Unfavourable No Change
Goldeneye (<i>Bucephala clangula</i>), non-breeding*	Favourable Maintained
Goosander (<i>Mergus merganser</i>), non-breeding*	Favourable Maintained
Waterfowl assemblage, non-breeding	Favourable Maintained
Pink-footed goose (<i>Anser brachyrhynchus</i>), non-breeding*	Unfavourable No Change
Red-breasted merganser (<i>Mergus serrator</i>), non-breeding*	Unfavourable No Change
Redshank (<i>Tringa totanus</i>), non-breeding*	Favourable Maintained
Sanderling (<i>Calidris alba</i>), non-breeding*	Favourable Recovered
Conservation Objectives: To avoid deterioration of the habitats of the qualifying species (listed above) or significant disturbance to the qualifying species, thus ensuring that the integrity of the site is maintained; and to ensure for the qualifying species that the following are maintained in the long term: <ul style="list-style-type: none"> ◆ Population of the species as a viable component of the site ◆ Distribution of the species within site ◆ Distribution and extent of habitats supporting the species ◆ Structure, function and supporting processes of habitats supporting the species ◆ No significant disturbance of the species 	
* Indicates assemblage qualifier only	

APPENDIX B

See Appendix 1 of Forest Plan SEA - Description of sites, links with Scottish Forest Strategy and management proposals.