

SCREENING REPORT

STEP 1 – DETAILS OF THE PLAN

Responsible Authority:

Box 1.
Perth and Kinross Council (PKC), as Lead Local Authority (LLA)

Title of the plan:

Box 2.
Tay Local Plan District 8 (LPD08) Local Flood Risk Management Plan (LFRMP)

What prompted the plan:

(e.g. a legislative, regulatory or administrative provision)

Box 3.
PKC is required to produce the LPD08 LFRMP under the Flood Risk Management (Scotland) Act 2009.

As it is required by legislation the LFRMP is therefore a qualifying plan under section 5(3)(b) of the Environmental Assessment (Scotland) Act 2005.

Plan subject:

(e.g. transport)

Box 4.
Water Management

Screening is required by the Environmental Assessment (Scotland) Act 2005.

Based on Boxes 3 and 4, our view is that:

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An SEA is required, as the environmental effects are likely to be significant: Please indicate below what Section of the 2005 Act this plan falls within

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Section 5(3)

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Section 5(4)

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An SEA is not required, as the environmental effects are unlikely to be significant: Please indicate below what Section of the 2005 Act this plan falls within

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Section 5(3)

☐

Section 5(4)

Contact details:

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Date:

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STEP 2 – CONTEXT AND DESCRIPTION OF THE PLAN

Context of the Plan:

Box 5.

For Flood Risk Management (FRM) purposes, Scotland is divided into 14 Local Plan Districts (LPDs). For each LPD, two sets of complementary plans will be produced. SEPA published the Flood Risk Management Strategy (FRM Strategy) for LPD08 on the 22nd December 2015 and PKC will publish the LFRMP for LPD08 on the 22nd June 2016.

For each SEPA identified Potentially Vulnerable Area (PVA) and candidate PVA (cPVA), the FRM Strategy identifies the main hazards and impacts, setting out objectives for reducing risk and the best combination of actions to achieve this.

The FRM Strategy SEA was submitted to the SEA gateway in 2013. The Scoping and Environmental Reports were consulted on and the responses updated in a Post Adoption Statement published by SEPA in December 2015. Further meetings were held in September 2015 to which SNH were invited to provide advice to the 14 LLAs on the SEA requirements.

The Tay LFRMP will be a delivery plan for the Tay FRM Strategy and there is no intention within the Tay LFRMP to deviate or add any additional actions beyond what was assessed as part of the existing SEPA SEA work to date.

Based on the above, and with reference to Section 8(1)(b) of the Environmental Assessment (Scotland) Act 2005 (Requirement of the Act to undertake Screening), PKC are happy to take further advice from the gateway but don't believe there is any further information to be assessed at this stage.

Description of the Plan:

Box 6.

The Tay LFRMP will take the information contained in the FRM Strategy, including the characterisation, objectives and actions, and provide further detail as to the timescales for implementation, who is responsible for implementation, funding arrangements and coordination of actions.

The first iteration of the plan will run from 2016 to 2022 and will be reviewed every six years.

The aim of the Tay LFRMP is to take a risk based, plan-led approach to FRM rather than a reactive approach. This will help focus attention and resources to the areas which can achieve the greatest benefits.

The Tay LFRMP will help raise the level of flood risk management understanding within the Tay LPD and inform future Development Plans.

What are the key components of the plan?

Box 7.

The key components of the LFRMP for LPD08 are the objectives and selected actions to manage flooding; the responsibilities and timescales for implementation and the coordination and funding arrangements.

Within the Tay Local FRM Plan (and the Tay FRM Strategy) there are surface water management actions, including specific integrated catchment studies (ICS's) and surface water management plans (SWMPs). These ICSs and SWMPs

will be progressed and developed by local authorities and Scottish Water over the period of 2016 to 2022. Any additional Surface Water Management Planning may be subject to separate SEA Screening and Scoping when more detailed information is available.

Have any of the components of the plan been considered in previous SEA work?

Box 8.

A screening report was submitted to the SEA Gateway on 21 November 2014 for the Tay Local Flood Risk Management Plan. The responses from the Consultation Authorities were received on 17 December 2014 and are summarised in the table 3.1 below.

Table 3.1. Summary of Consultation Authorities Responses to Tay Local FRM Plan Screening Report

Consultation Authority	Likelihood of Significant Environmental Effects	Summary of Comments
SEPA	Yes	Considers the Tay Local FRM Plan is likely to have significant environmental effects with respect to SEPA's main areas of interest (air, water, soil, human health, material assets and climatic factors).
SNH	Yes	Not clear at this stage whether the Tay Local FRM Plan is likely to contain additional measures or information to the Strategy. Supports a precautionary approach that the Tay Local FRM Plan is likely to have significant environmental effects, but understands that this will be reviewed as the Plan is developed; any potential significant environmental effects can be identified and screened again.
Historic Environment Scotland	Yes	The FRM Strategies SEA will assess many of measures included in the Tay Local FRM Plan but it is not yet clear what level of detail this will go into. Would welcome review of situation as both FRM Strategy and LFRMP progress. Agrees that the Local FRM Plan is likely to have significant effects on the historic environment.

At the end of 2014, the responses from the Consultation Authorities confirmed

that the Tay Local FRM Plan was likely to have significant environmental effects. This stemmed from the uncertainty at that time regarding what, if any, additional information would be contained in the Local FRM Plans when compared to the FRM Strategies.

However there has been a change in circumstances following the initial Screening request. SEPA have carried out a SEA for the FRM Strategies and have produced an Environmental Report and Post Adoption Statement which were subsequently published in December 2015.

The potential actions for each PVA and cPVA were considered in previous SEA work undertaken by SEPA for the FRM Strategy i.e. Scoping Report November 2013, Environmental Report March 2015 (SEA Database ID SEA\00877) and Post Adoption SEA Statement V0.5 24/0915 (published by SEPA in December 2015).

The final draft of Tay Local FRM Plan has been prepared and no additional actions will be included, other than those already included in the Tay FRM Strategy. The only additional information contained within the Tay Local FRM Plan is the detail surrounding the timings, responsibilities, funding and co-ordination arrangements for each of the selected actions.

Based on this Perth & Kinross Council has determined that the Tay Local Flood Risk Management Plan is entirely consistent with the Tay FRM Strategy. The Council therefore intends to refer to the Environmental Report, consultation responses and Post Adoption Statement for the Tay FRM Strategy as these have carried out an appropriate level of assessment for the Tay Local FRM Plan.

Other Lead Local Authorities (LLA's) have also recently submitted Screening Reports for their Local Plan Districts (LPDs). All LPDs are in the similar position in that no additional actions are to be included in their Local FRM Plans, on top of those included in the associated Strategies. The responses received by these LLA's from the CAs has indicated that they are of the opinion that no significant environmental effects are likely, given that the measures have all been covered by the SEA process for the Flood Risk Management Strategies.

This further reinforces the opinion of PKC that the Tay LFRMP will not have any significant environmental effects that have not been addressed by the Strategies SEA.

In terms of your response to Boxes 7 and 8 above, set out those components of the plan that are likely to require screening:

Box 9.

The LFRMP will provide further detail on timescales for implementation of each action, identify who is responsible for implementation, funding arrangements and coordination of actions. These four elements that are additional information to the Strategy are presented below.

The information relating to the timescales for implementation of each action will also consider any potential cumulative impacts caused by actions (specifically proposed flood scheme works) within the same watercourse catchments.

**STEP 3 – IDENTIFYING INTERACTIONS OF THE PLAN WITH THE ENVIRONMENT AND
CONSIDERING THE LIKELY SIGNIFICANCE OF ANY INTERACTIONS (Box 10)**

Plan Components	Environmental Topic Areas										Explanation of Potential Environmental Effects	Explanation of Significance
	Biodiversity, flora and fauna	Population and human health	Soil	Water	Air	Climatic factors	Material assets	Cultural heritage	Landscape	Inter-relationship issues		
Timescales for implementation of actions	x	x	x	x	x	x	x	x	x	x	n/a	We have determined that the timings of each of the actions will not result in any significant environmental effects, on the basis that mitigation measures and recommendations from the FRM Strategy SEA are adhered to. The geographical spread of the identified schemes means that cumulative impacts within catchments are not possible.
Who is responsible for implementation of actions	x	x	x	x	x	x	x	x	x	x	n/a	We have determined that additional information on who will be responsible for each identified action will not have any likely significant environmental effects. The responsible body will adhere to the mitigation measures and recommendations from the FRM Strategy SEA.
Funding arrangements for actions	x	x	x	x	x	x	x	x	x	x	n/a	We do not consider funding arrangements for the actions will have a significant effect on the environment.
Coordination of actions	x	x	x	x	x	x	x	x	x	x	n/a	On the basis coordination of actions will be in accordance with the FRM Strategy SEA mitigation measures and recommendations that will be presented in the LFRMP we do not consider coordination will have a significant effect on the environment.

STEP 4 – STATEMENT OF THE FINDINGS OF THE SCREENING

Summary of interactions with the environment and statement of the findings of the Screening:

(Including an outline of the likely significance of any interactions, positive or negative, and explanation of conclusion of the screening exercise.)

Box 11.

Preparation of the LFRMP is to address water management. It is the responsibility of Perth and Kinross Council and is required by the Flood Risk Management (Scotland) Act 2009. The actions that have been identified within the Tay Local Flood Risk Management Plan have the potential to have significant environmental effects. However all of the measures/actions included within the plan have been assessed through the SEA process carried out by SEPA for their Flood Risk Management Strategies. There is particular reference to the Tay Local Plan District in Appendix 12 of the Environmental Report.

No additional actions have been included in the Tay Local FRM Plan, further to those already included, and assessed, as part of the Tay FRM Strategy. As detailed above, the only additional information to be included for each action in the Tay LFRMP will be the funding, co-ordination, timing and responsible body/bodies. The previous screening assessment has been reviewed in order to determine the potential for significant environmental effects associated with any such additional details.

We have determined that the funding arrangement information will not lead to significant environmental effects. Neither will the responsible body/bodies for the funding of each action, on the basis that mitigation measures and recommendations from the FRM Strategy SEA are adhered to. Likewise the co-ordination of these actions will also not result in significant environmental effects.

Actions will be undertaken in accordance with the FRM Strategy SEA mitigation measures and recommendations and will be presented within in the Tay LFRMP. Additionally actions within the Tay District are discrete to each LA geographical area. We do not anticipate coordination will have a significant effect on the environment.

The information relating to the timings of actions (specifically proposed flood scheme works), in principle, could cause significant environmental impacts. This would be through the cumulative impacts of works within the same watercourse catchment. However this is not the case in the Tay LPD as the three proposed schemes are geographically separated, with works potential in/near-river works at Comrie and Scone in different catchments, whereas the proposed works at Perth (Bridgend) is a surface water scheme. There are also additional schemes highlighted in the plan to be carried out by the Transport authority; however these are not designated to be carried out until the second FRM cycle. As such these will be subject to another SEA process for the second FRM cycle Strategies and Plans. Therefore information

relating to the timings of the works is not considered to result in significant effects on the environment.

Within the Tay LPD the LFRMP, as prescribed by the FRMS, details measures to carry out studies to assess future potential flood protection schemes or natural flood management works. These will generally be un-intrusive investigations and so the timings of the studies will not result in any significant environmental effects. As the studies progress a need may develop to carry out more intrusive ground investigations and environmental surveys. These will be directed by the findings of the SEA for the FRM Strategies.

The responsible body for implementation of the actions will require to adhere to the FRM Strategy SEA mitigation measures and recommendations that will be presented within the LFRMP therefore we do not anticipate designating the lead for each action will have a significant effect on the environment.

In summary it is considered that the additional information contained within the Tay Local FRM Plan will not have significant effects on the environment. As such all issues that would have been assessable through an Environmental Report have been scoped out as a result of their inclusion in the previous SEA process carried out by SEPA for the FRM Strategies.

When completed send to: SEA.gateway@scotland.gsi.gov.uk or to the SEA Gateway, Scottish Government, Area 2H (South), Victoria Quay, Edinburgh, EH6 6QQ.

Completion guidance (Please delete before submission)

Link to SEA Guidance: <http://www.gov.scot/Resource/0043/00432344.pdf>

Box 1	<p>Name of the organisation that is responsible for the plan.</p> <p>Note: The responsible Authority is any person, body or office holder exercising functions of a public Character. Where more than one authority is responsible for a plan they should reach an agreement as to who is responsible for the SEA. Where an agreement cannot be reached, the Scottish Ministers can make the determination (Extract from SEA Guidance: Glossary (Page 50)).</p>
Box 2	<p>Name of the plan.</p> <p>Note: The 2005 Act applies to plans which relate to matters of a public character. The term 'plan' within guidance also covers policy, programme and strategy (Extract from SEA Guidance: Glossary (Page 50)).</p>
Box 3	<p>In terms of screening, knowing why a plan is being produced is one of the key components in understanding whether the plan falls into Section 5(3) or 5(4) of the 2005 Act.</p>
Box 4	<p>The 2005 Act outlines the sectors as agriculture, forestry, fisheries, energy, industry, transport, waste management, water management, telecommunications, tourism, town & country planning and land use.</p>
Box 5	<p>As well as briefly describing what the plan is intended to do and how it will achieve it, it is important to outline whether the plan sits within a hierarchy and its relationships with other plans and policies.</p> <p>Schedule 2 part 1 of the 2005 Act details criteria relating to a plan setting a framework for projects and other activities, and influencing other plans including those in a hierarchy.</p> <p>In terms of screening for likely environmental effects, knowing the context of a plan and where it will sit in a hierarchy of other plans is a key component in understanding the likely scope and remit of the plan and where the most appropriate assessment should take place. The description of the context should build on the information provided for Box 3 and contain sufficient information to allow those reading the screening report to understand the role of the plan in the wider policy context. Brief descriptive information such the relationship of the plan with overarching policy, links with other plans, and the influence on and from overarching ambitions or objectives should be considerations. This type of information can help paint a clear screening picture and whether an SEA of the plan is suitable in the circumstances.</p>
Box 6	<p>The description of the plan being screened has to contain sufficient information to allow those reading the notification to understand the objectives of the plan and how the Responsible Authority aims to deliver them. This may differ between spatial plans, policy based plans and aspirational plans (or a mix of these). The description should include:</p> <ul style="list-style-type: none">• The focus and direction of the plans – Including the 'powers' it will have,

	<p>the direction, status and importance it may bring, the ‘targets’ it will set, the legislation it will initiate, etc.</p> <ul style="list-style-type: none"> • Its spatial scope - i.e. will it be nationally, regionally or locally focused, will there be specific area, location or boundary outlined. • Its temporal scope – i.e. will it be introduced for a set period of time before the next iteration? • The individual components of the plan – Including policy areas and plan components that it will cover (e.g. the sectors covered in a plan, specific technologies that will be considered, any new restrictions to be introduced, or measures that could be considered intrinsic mitigations). • Any new powers the plan may be given or may give to other activities • The vision, objectives and aims of the plan where these are clear. <p>It may also prove helpful to include other information in a summary, such as whether the plan is expected to improve or strengthen the current approach, the reason the plan is being prepared, who it would apply to and the timescale for delivery. This type of information should build upon that provided for Box 5 and can help paint a clear picture of whether screening is suitable in the circumstances.</p>
Box 7	<p>Information included in this section should clearly set out the components of the plan (e.g. policy areas covered or the relevant likely sections of the plan) and allow the reader to see which components of the plan are being considered in the screening process.</p>
Box 8	<p>Are you confident that all significant environmental effects arising from this plan have already been covered in earlier SEA work?</p> <p>Most plans sit in a wider policy hierarchy, influenced by and/or influencing other plans and policies within the hierarchy. In many cases, previous SEA work is likely to have been undertaken on other plans and policies, and these may be of relevance to the consideration of the likelihood of significant environment effects associated with the development of the plan.</p> <p>These assessments may have considered components of the plan, and in some cases, there may be the possibility of screening out certain components of a plan as these have been previously assessed (e.g. through SEA of an overarching policy, or assessment of a previous plan that includes several components duplicated within the current plan). It is essential to have full confidence that components have been previously assessed, to an appropriate level, prior to its removal from further consideration. Even a small deviation from previously assessed policy, changes in the sensitivity or knowledge of environmental receptors affected, and length of time since assessment are likely to result in the need for new assessment.</p> <p>Information included in this section should clearly identify the plan components and refer to the previous assessment work undertaken to demonstrate that they have been ‘captured’ in the SEA process in accordance with the requirements of the 2005 Act and the satisfaction of the Consultation Authorities.</p>

Box 9	<p>Based upon the content of Boxes 7 and 8, this section should identify the components of the plan that require screening. These components can then be taken forward into the next section of the screening process.</p>
Box 10	<p>Is the plan, and its components, likely to have potential interactions with the environment, either direct or indirectly?</p> <p>The next step in this approach is identifying the potential for interactions of the plan with the environment. A table such as that provided could aid in identifying the likely interactions of the policy and its components against each of the environmental topic areas set out in Schedule 2 of the 2005 Act. This step is aimed at helping Responsible Authorities to demonstrate compliance with the requirements of the 2005 Act and transparency in reaching their conclusions of the screening process.</p> <p>Note that the Responsible Authority should refer to and, where appropriate, address the criteria outlined within Schedule 2 of the 2005 Act in determining the likely significance of effects on the environment. Therefore, it is recommended that the Responsible Authority consider the probability, duration, frequency, reversibility, magnitude and spatial extent of any potential effects; the cumulative and transboundary nature of effects; the value and vulnerability of the area(s) likely to be affected; and risk to human health and the environment; amongst others. Further explanation of the criteria detail in Sections 1(a) – 1(e) and 2(a) – 2(g) is provided in the Scottish Government's SEA Guidance (Section 3.3: Making a Screening Determination, Available at http://www.gov.scot/Publications/2013/08/3355/3).</p> <p>Note the 2005 Act does not distinguish between positive and negative environmental effects and either, if significant, could trigger an SEA.</p>
Box 11	<p>Upon consideration of the previous sections, a Responsible Authority should make a finding on whether there is the likelihood of significant environmental effects associated with adoption of the plan.</p> <p>The information in this section should provide a summary of the likely interactions of the plan with the environment, and conclude whether the Responsible Authority consider that an SEA is required or not.</p> <p>If likely significant effects are identified by a Responsible Authority, then an SEA must be undertaken and the decision to do this advertised. The information presented at screening and Consultation Authority views on this can also help to inform the next stage of the SEA process (Scoping). Similarly, if no significant effects are identified a determination to that effect must be undertaken and then advertised.</p>