

West Dunbartonshire Council

Open Space Strategy

POST-ADOPTION

SEA STATEMENT

POST-ADOPTION SEA STATEMENT – COVER NOTE

PART 1

To: SEA.gateway@scotland.gsi.gov.uk

or

SEA Gateway
Scottish Executive
Area 1 H (Bridge)
Victoria Quay
Edinburgh EH6 6QQ

PART 2

A post-adoption SEA statement is attached for the PPS entitled:

West Dunbartonshire Open Space Strategy

The Responsible Authority is:

West Dunbartonshire Council

PART 3

Contact name Donald Petrie

Job Title Access Officer

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G82 2RH

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Signature & date Donald Petrie 19.9.12

POST - ADOPTION SEA STATEMENT

Post-adoption SEA statement for:

West Dunbartonshire Open Space Strategy

Adopted on:

7 September 2011

Responsible Authority:

West Dunbartonshire Council

POST-ADOPTION SEA STATEMENT INTRODUCTION

This document (referred to here as the post-adoption SEA statement) has been prepared in accordance with Section 18 of the Environmental Assessment (Scotland) Act 2005.

POST-ADOPTION SEA STATEMENT AVAILABILITY OF DOCUMENTS

WEBSITE

The full PPS as adopted, along with the Environmental Report and post-adoption SEA Statement are available on the Responsible Authority's website at:

www.west-dunbarton.gov.uk

OFFICE ADDRESS

The PPS, as adopted, along with the Environmental Report and post-adoption SEA Statement may also be inspected free of charge (or a copy obtained for a reasonable charge) at the principal office of the Responsible Authority:

Contact name, address and telephone number

Donald Petrie, Access Officer, Greenspace, West Dunbartonshire Council, 2-5 Elm Road, Dumbarton G82 2RH Tel: 01389 608407

Times at which the documents may be inspected or a copy obtained:

Normal Office Hours

**POST-ADOPTION SEA STATEMENT
KEY FACTS**

Name of Responsible Authority	West Dunbartonshire Council
Title of PPS	Open Space Strategy
What prompted the PPS (e.g. a legislative, regulatory or administrative provision)	Paragraph 151 of Scottish Planning Policy.
Subject (e.g. transport)	Open space
Period covered	2012-2022
Frequency of updates	No statutory requirement
Area of PPS (e.g. geographical area)	West Dunbartonshire out-with the Loch Lomond & The Trossachs National Park
Summary of nature/content of PPS	The Open Space Strategy consists of a report, maps and tables of recommended strategic actions.
Date adopted	7 September 2011
Contact name & job title Address, email, telephone number	
Date	19 September 2012

POST-ADOPTION SEA STATEMENT STRATEGIC ENVIRONMENTAL ASSESSMENT PROCESS

The West Dunbartonshire Open Space Strategy has been subject to a process of Strategic Environmental Assessment (SEA), as required under the Environmental Assessment (Scotland) Act 2005. This has included the following activities:

- Taking into account the views of the Scottish Environment Protection Agency, Scottish Natural Heritage and the Scottish Ministers (Historic Scotland) regarding the scope and level of detail that was appropriate for the Environmental Report
- Preparing an Environmental Report on the likely significant effects on the environment of the draft PPS which included consideration of:
 - the baseline data relating to the current state of the environment;
 - links between the PPS and other relevant strategies, policies, plans, programmes and environmental protection objectives;
 - existing environmental problems affecting the PPS;
 - the plan's likely significant effects on the environment (positive and negative);
 - measures envisaged for the prevention, reduction and offsetting of any significant adverse effects;
 - an outline of the reasons for selecting the alternatives chosen;
 - monitoring measures to ensure that any unforeseen environmental effects will be identified allowing for appropriate remedial action to be taken.
- Consulting on the Environmental Report
- Taking into account the Environmental Report and the results of consultation in making final decisions regarding the PPS
- Committing to monitoring the significant environmental effects of the implementation of the PPS. This will also identify any unforeseen adverse significant environmental effects and to enable taking appropriate remedial action.

**POST ADOPTION SEA STATEMENT
HOW ENVIRONMENTAL CONSIDERATIONS HAVE BEEN
INTEGRATED INTO [THE PPS] AND HOW THE ENVIRONMENTAL
REPORT HAS BEEN TAKEN INTO ACCOUNT**

TABLE 1

ENVIRONMENTAL CONSIDERATIONS AND FINDINGS FROM ENVIRONMENTAL REPORT	INTEGRATE INTO PPS (YES/NO)	HOW INTEGRATED/ TAKEN INTO ACCOUNT OR REASON FOR NOT BEING TAKEN INTO ACCOUNT
<p>The Inner Clyde SPA (Special Protection Area) was identified as being of particular significance and required special attention. In particular, an action regarding an increase in the number of events to be held in Levensgrove Park, Dumbarton was of concern.</p>	<p>Yes</p>	<p>It was decided that the Council would avoid hosting any new events which are likely to involve intrusive noise levels which could have a negative effect on the over-wintering redshank in the adjacent Inner Clyde Special Protection Area.</p>
<p>The adoption of the Plan will not have any significant impacts on the SEA Objectives, indeed many of the actions will have a positive impact, in particular towards biodiversity, flora and fauna, and the promotion of healthy living.</p>	<p>No</p>	
<p>No significant negative impacts on the designated natural heritage, cultural heritage and landscapes were identified by the Environmental Report. It was identified that an increase in the use of open space identified in the Plan gave the opportunity for more people to visit these sites and for them to be promoted, however monitoring and mitigation would be required to ensure there wouldn't be any negative impacts on some sites as a result of more people using the open space sites.</p>	<p>Yes</p>	<p>Neither the Plan as a whole nor any specific actions were identified as causing any significant impacts on any the designated natural heritage, cultural heritage and landscapes. However changes were made to the mitigation for some actions on specific sites which could be negatively impacted upon.</p>

**POST ADOPTION SEA STATEMENT
HOW OPINIONS EXPRESSED DURING CONSULTATION HAVE
BEEN TAKEN INTO ACCOUNT (INCLUDING ANY
CONSULTATION REQUIRED WITH OTHER EU MEMBER
STATES)**

**TABLE 2 –LISTS CONSULTATION RESPONSES AND SETS OUT HOW
THEY HAVE BEEN TAKEN INTO ACCOUNT**

CONSULTEE / RESPONDENT	SUMMARY OF COMMENTS	HOW THE COMMENT WAS TAKEN INTO ACCOUNT IN MAKING THE DECISION TO ADOPT THE FINAL PPS
<p>Scottish Environmental Protection Agency</p>	<p>The ER is comprehensive and well set out and SEPA is satisfied that an adequate level of assessment of the plan has been carried out. We are also satisfied that the report takes into account the issues raised by SEPA in its Scoping consultation response. It should be noted that the Water Environment (Controlled Activities) (Scotland) Regulations 2005 have been revised and are now the Water Environment (Controlled Activities) (Scotland) Regulations 2011.</p>	<p>No action taken apart from the reference to the Water Environment (Controlled Activities) (Scotland) Regulations 2005, changed to the Water Environment (Controlled Activities) (Scotland) Regulations 2011.</p>

<p>Scottish Natural Heritage</p>	<p>SNH agrees that the overall effects of the Strategy are likely to be positive which is to be expected, however it partly due to the vague nature of the SEA Objectives. The lack of focus in some of the SEA Objectives has resulted in less mitigation being proposed.</p> <p>The ER should better address potential interactions between open space along the Clyde waterfront and the adjoining Inner Clyde SPA. This status means the requirements of the Habitat Regulations 1994 (as amended) apply.</p> <p>There is a requirement to address the action which is likely to have a significant effect on the SPA – Recommended Action for Levensgrove Park ‘hosting more events’. This likely significant effect could be avoided if the action was to rule out any new events during September to April that gave rise to amplified, explosive or similarly elevated noise levels.</p> <p>SNH agreed with the overall assessments of the impacts in Section 7.</p> <p>It was strongly recommended that the mitigation measures are more specific, eg what kind of ‘management’ is likely to be required for events? Bullet 5 is not actually mitigation. It should instead say how promotion of increased access might be limited where there are potential impacts, and where</p>	<p>Many changes were made throughout the Environmental Report as a result of the comments from SNH.</p> <p>The main changes were to the action for more events in Levensgrove Park, Dumbarton. The original action could have had a significant impact on the over-wintering wildfowl in the adjacent SPA. The action was amended to remove the impact as suggested by SNH.</p> <p>Amendments were made to the proposed mitigation to elaborate the management required for events and what mitigation would be in place for open space sites which were unable to cope with an increase in numbers accessing them.</p> <p>The position regarding the monitoring and maintenance of LNRs was clarified to show the Ranger Service carries out the monitoring and the maintenance works will be undertaken by other Council Departments.</p> <p>Where possible the remaining comments have been integrated into the ER, and in some cases, the Open Space Strategy, without fundamentally altering these documents.</p> <p>The Mitigation listed in Section 8 of the ER was altered to provide more specific detail of possible actions required.</p>
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not how such impacts could be reduced.

There was a concern that the management and maintenance of LNRs falls to the Ranger Service which is staffed by one member of staff.

For clarity the end of Section 9 be changed from 'other designated sites' to 'the Inner Clyde Special Protection Area (SPA)'.

The Biodiversity Duty in the Nature Conservation (Scotland) Act 2004, mentioned under Purpose, should carry through to the other columns. These should refer to biodiversity generally rather than just statutory protection.

In various places the Mitigation text doesn't actually constitute mitigation.

Examples regarding Biodiversity include:
Row 1: should mention avoiding non-temporary loss of habitat integrity and connectivity, and compensating any unavoidable impacts as nearby as possible.
Row 2: should stipulate full consideration of the reasons for which sites are designated. Regarding protected species, the text should mention full accordance to the legal protection and enhancement of habitat where possible. behaviour) or effects should be compensated as nearby as possible.

<p>Historic Scotland</p>	<p>Row 3: appropriate mitigation would be to estimate thresholds for habitat damage / species disturbance, and to stipulate either that the thresholds should not be exceeded (whether through avoiding promotion, or through managing visitor) or effects should be compensated as nearby as possible.</p> <p>The Environmental Report is well presented and clearly considers the environmental implications of the strategy. It provides a clear account of the steps undertaken during the assessment process and presents these in a logical structure. I am therefore content with the assessment. For clarification, I would reiterate the comment we made at the scoping stage regarding the Historic Environment (Amendment) (Scotland) Act 2011 in that this act amends certain provisions within the three named pieces of legislation. The Acts themselves remain as the primary legislative framework for the historic environment.</p>	<p>As no negative impacts on the historic environment were identified through the adoption of the Plan, no actions taken.</p>
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POST-ADOPTION SEA STATEMENT

REASONS FOR CHOOSING THE [PPS] AS ADOPTED, IN THE LIGHT OF OTHER REASONABLE ALTERNATIVES

The development of the West Dunbartonshire Open Space Strategy (the Plan) involved the undertaking of a comprehensive audit of existing open space provision followed by a wide consultation of interested parties (local community, land managers and other partner organizations) on strategic and site specific actions with the aim of enhancing the open spaces available.

As a result of the audit and consultation a range of Strategic and Site-specific actions were proposed.

The consultation included consideration of a number of possible alternative actions to the various open space sites covered by the Plan.

The following reasonable alternatives were considered as part of the development of the Plan –

- The agreement of the criteria for the selection and inclusion and of open space sites included various alternatives to be considered as part of the Plan.
- Discussions with land managers, land owners, statutory bodies and the public allowed various alternative sites and actions to be proposed and discussed. This resulted in various changes and amendments to the selected open space sites and proposed actions, mostly for land management and nature conservation issues.
- The comments received from the statutory consultees on the Draft Environmental Report did not highlight any major issues with the open space sites selected for inclusion in the Plan and no alternatives were suggested. However SNH's response highlighted a number of concerns with regards to actions which could affect the Inner Clyde SPA and others regarding the Plan and Draft Environmental Report. These concerns were addressed as far as possible without adversely affecting the integrity of the Plan which would have involved a major re-write.

The final Plan which was adopted is deemed to have explored all possible reasonable alternatives at all stages of the Plan's development.

POST-ADOPTION SEA STATEMENT

MEASURES THAT ARE TO BE TAKEN TO MONITOR SIGNIFICANT ENVIRONMENTAL EFFECTS OF THE IMPLEMENTATION OF THE PPS

The open space in West Dunbartonshire will be monitored by a variety of Council departments and partner agencies to establish if there are any significant environmental impacts –

- West Dunbartonshire Council is responsible for implementing the actions in the Open Space Strategy and will ensure any environmental impacts as a result are minimized.
- West Dunbartonshire Council Grounds Maintenance Section carry out grass cutting, litter picking, vegetation clearing and other maintenance duties on most of the open space areas, play areas, etc throughout the area. Any issues are reported and remedial action undertaken by the relevant department.
- West Dunbartonshire Council Countryside Ranger Service and Access Officer undertake monitoring work on a variety of Council-owned and privately-owned open space sites throughout the area.
- Environmental bodies such as SNH and SEPA also play a role in monitoring any impact the Plan may have on protected sites.

There is however a designated site which has been identified which could be affected by the Plan - the Inner Clyde SPA, especially at Levensgrove Park, Dumbarton.

The impact of the Plan on the SPA will be monitored by various organisations such as SNH and the RSPB as well as West Dunbartonshire Council. If it is determined that the strategic actions included in the Plan on sites adjacent to the SPA are contributing to any significant environmental impacts then mitigation will be considered as described in the Environmental Report.