

TAYSIDE & CLACKMANNANSHIRE

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

Martin Dean  
Access and Countryside Projects Officer  
Clackmannanshire Council  
Kilncraigs  
Greenside Street  
Alloa  
Clackmannanshire  
FK10 1EB

Our Ref: CNS/EIA/SEA – 00201/08/09

07 October 2008

Dear Mr Dean

**ENVIRONMENTAL ASSESSMENT (SCOTLAND) ACT 2005  
CLACKMANNANSHIRE COUNCIL CORE PATHS PLAN ENVIRONMENTAL  
REPORT**

Thank you for the Clackmannanshire Council Core Paths Plan (CPP) Environmental Report (00201/08-09), submitted under the above Act. This was received by SNH from the SEA Gateway on 30 July 2008. Our comments on the Core Paths Plan itself are contained in a separate response.

In our response to the scoping report (ref. our letter of 17 January 2008) we indicated that we were generally content with the scope and level of detail proposed.

We did have specific comments on the scope and level of detail and we have made some observations below in relation to these. We consider that overall our comments have been taken into account at this stage, and we are now content that the Environmental Report (ER) has provided a satisfactory assessment of potential significant effects. We welcome the clear and well structured approach to the ER.

Our comments below are provided in accordance with the Consultation Authorities Information note for Responsible Authorities.

**Whether or not the current state of the environment and key trends have been correctly identified.**

Section 4: We commented on the lack of natural heritage baseline information in our scoping response such as information about the qualifying interests of the Firth of Forth SPA.

The section on the LBAP (page 23) could be made more meaningful by providing contextual information on the relative value of Clackmannanshire's biodiversity – what elements are particularly important in a regional/national context, and what overall is the baseline position e.g. evidence of a decline in biodiversity as cited in section 4.3 (ref. bullet on biodiversity, flora and fauna).

## **Current environmental issues**

We note the environmental issues identified in Section 4.3, and the lack of information on European Protected Species (EPS). It is important to recognise that EPS species such as otter may be affected by increased usage/disturbance through access. In locations where the presence of EPA such as otters and bats is likely then surveys prior to work commencing will be required.

Other baseline information on current paths such as their condition and levels of use where known would be helpful.

## **Whether or not the assessment of likely significant effects on the environment is satisfactory**

Section 2: We welcome the assessment process which is clearly set out, with explanation of the methods followed (page 8), scoring system proposed and the checklist of questions provided in Table 2.4.

Section 5: We note that all the proposed core paths are existing routes which provide reasonable access in their current condition and the actions which will be taken (page 34).

We also note the CPP describes potential future routes which may require more significant physical works but that these paths will be subject to further review and assessment. We would expect these paths to be assessed as part of any future SEA required for a review of the CPP.

We suggest it is made clear that the six paths were removed from the CPP at the pre consultation stage (path numbers 31, 51, 144, 164, 166 and 167), and do not now constitute part of this CPP assessment.

## **Appropriate Assessment**

Section 5.3.2; We welcome this section on Appropriate Assessment in the ER and consideration of potential impacts on the Firth of Forth SPA. Please note that an Appropriate Assessment will be required for the following activities:

- constructing new paths;
- upgrading existing path;
- changing maintenance regimes; or
- improving promotion in ways that are likely to increase path use or change the type of use, including by dogs

New development and increased population arising from residential development in particular may affect the SPA. The Core Path Planning process can be used to help mitigate disturbance which may arise from this.

## **Whether any measures could prevent, reduce or offset any significant adverse effects on the environment when implementing the plan or programme**

Section 5.5: The mitigation proposed for signage to encourage responsible behaviour is supported and should help to manage existing use of paths.

### **Whether the proposals for monitoring are adequate**

Section 5.6: We welcome the proposed monitoring arrangements for the plan. We recommend a timescale for evaluation of the monitoring measures is included.

You may also wish to consider monitoring usage of specific paths, such as path 23. This could help alert the Council to any future potential issues such as disturbance of birds.

Please note that the comments provided at this stage are in connection with the adequacy of the Environmental Report and are without prejudice to comments that may be made by SNH on the plan itself.

Yours sincerely

Denise Reed (Mrs)  
Operational Manager

cc [sea.gateway@snh.gov.uk](mailto:sea.gateway@snh.gov.uk)  
[sea.gateway@sepa.org.uk](mailto:sea.gateway@sepa.org.uk)  
[hsse.gateway@scotland.gsi.gov.uk](mailto:hsse.gateway@scotland.gsi.gov.uk)