

Kelly C (Christine)

From: Carlin WR (William)
Sent: 23 June 2006 16:30
To: Chisholm A (Amanda)
Cc: hs.shep
Subject: 00034 Environmental report - Historic Scotland - Scottish historic environment policy series - Environmental report responses sent to responsible authority - 23 June 2006

00034 Environmental Report - Historic Scotland

Scottish Historic Environment Policy Series - Environmental Report

Amanda

As discussed, please find enclosed the SEPA's response to the Environmental Report submitted to the SEA Gateway on 30 March 2006.

Enclosed:

- Covering letter
- SNH correspondence (to follow)
- SEPA correspondence



00034
Environmental report -




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Environmental report -

Please contact me if you have any queries.

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23 June 2006

Dear Amanda

Historic Scotland - Scottish Historic Environment Policy Series – Environmental Report

With reference to the Environmental Report submitted to the SEA Gateway on 30 March 2006.

Although this is a voluntary SEA, SEPA have considered the Environmental report you submitted, in accordance with Regulation 18, of the Environmental Assessment of Plans and Programmes (Scotland) Regulations 2004. Their response is attached to this letter. SNH response will follow shortly.

You may want to refer to the Regulations to consider your next step, while taking into account the opinions of the Consultation Authorities (in this case SNH and SEPA).

If you have any queries or would like me to clarify any points, please call me on 0131 244 1704.

Yours sincerely

Elaine McCall
SEA Gateway Officer



Our Ref: SEA00037//ER/
ND/

FOA Amanda Chisholm
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23 June 2006

By email: sea.gateway@scotland.gsi.gov.uk

Dear Amanda,

**Strategic Environmental Assessment
Scottish Historic Environment Policy 1 – Environmental Report**

I refer to your Environmental Report consultation in respect of SHEP 1, submitted to SEPA via the Scottish Executive SEA Gateway on 30 March 2006. SEPA notes that the Historic Scotland is undertaking SEA of the policy voluntarily as work on the policy was commenced prior to the coming into force of the Environmental Assessment (Scotland) Act 2005. SEPA welcomes this commitment and it is hoped that the SEA has proven to be valuable in progressing the policy and that it will be taken fully into account as you finalise it.

SEPA considers that the SHEP policy is unlikely to have significant environmental effects with regard to SEPA's main areas of competence (primarily air, water, and soil). Accordingly, SEPA has no comments on the findings of the Environmental Report in this regard. However, some brief comments on the SEA method and are provided in Annex 1 attached. These comments will hopefully be helpful to you for further work of this sort. SEPA does not expect them to be incorporated within a revised Environmental Report although if a revised report is being prepared, then your consideration of these comments would, of course, be encouraged.

SEPA has used its Scoping consultation response of 27 January 2006 to consider the Environmental Report and this is used as the framework for detailed comments which can be found in Annex 1. Please note, this response is in regard only to the adequacy and accuracy of the Environmental Report and any comments that SEPA may wish to make on the strategy itself are provided under separate cover.

Chairman
Sir Ken Collins

Chief Executive
Dr Campbell Gemmell

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Annex 1

General Comments

In general terms, SEPA considers that this is a good attempt at undertaking an assessment of what is a very high level policy. At this level it can be very difficult to undertake meaningful assessment as implementation of the policy (and therefore the significant environmental effects resulting from it) will take place through other related plans, programmes and strategies.

The approach adopted would appear to be a very high level assessment provided by the Dutch e-test method combined with a more traditional SEA matrix which tests each constituent part of the policy. This provides in our view a sound approach to assessment of high level policy.

Detailed Comments Relating to SEPA's Scoping Response

Issue Raised at Scoping by SEPA	SEPA view on whether this has been addressed
1. Only very limited information about the SHEP. Would have been useful to have included more information about the policy and its proposed content.	This is now fully provided in the Environmental Report (sections 2 and 3)
2. Advised that in addition to other relevant plans and programmes, wider environmental objectives should also be considered where relevant to do so.	It does not appear that these have been included.
3. SEPA suggested some additional plans, programmes and strategies which might be considered for inclusion in the summary of other relevant plans and programmes.	These have been referenced briefly in section 4. It would perhaps have been useful for the influence of these on SHEP 1 and vice versa to have been explained in a bit more detail, although it is appreciated that this is difficult for high level policy assessment.
4. SEPA questioned the intention not to provide baseline environmental data in the Environmental Report and recommended that a brief overview of the key environmental (cultural heritage) issues/trends that SHEP1 must work within and seek to address be included.	SEPA understands the difficulty in providing baseline information that would be relevant for what is a very high level policy. SEPA maintains that a brief overview of the key environmental issues and trends would have provided a helpful context, even if it were not used as a baseline for the assessment. The provision of information to set out the current state of the environment, the environmental characteristics of the area likely to be affected and existing environmental problems are all specifically required under Schedule 3 of the Act. Table 4 is helpful in that it sets out the results of application of the e-test and this goes some way to identifying the key environmental information required in an Environmental

	Report but it is felt that a broader context in which the SHEP fits may have been helpful also.
5. It is not clear whether human health has been scoped in or out of the assessment. Should be clarified	This is still not entirely clear as health is included within table 4, but is specifically scoped out of the assessment tables. SEPA assumes it has been scoped out and this is not questioned.
6. It would be helpful to identify where lower level plans or policies will be expected to do more detailed assessment	This is now included within the assessment matrices.
7. It is noted that no alternatives have been suggested as this is a policy consolidation process. The intention to assess alternatives as and if they become apparent is supported.	No action necessary. SEPA would continue to suggest that alternatives which may come forward following the consultation process should be assessed as required. A commitment to this is made in section 7, which is welcomed.
8. Suggested that the Responsible Authority may find it useful to use objectives as part of the assessment process. These are not a legal requirement but can be useful in assisting the assessment process.	SEPA notes that this has not been adopted. The use of environmental objectives is not a requirement of the Act.

Other Comments

Section 9 – It would be helpful for the Environmental Report to perhaps summarise the results from matrices in slightly more detail at this point.

It is noted that certain types of effects and indeed mitigation actions cannot be identified at this stage given the nature of SHEP 1. SEPA accepts that this is the case, but it could perhaps be made clearer what other plans, programmes and strategies (beyond the SHEP series ?) will be responsible for this detailed level assessment or for mitigation activities. It is important that plan-makers in other parts of the plan hierarchy are aware that this SEA work has been undertaken and of their role in identifying significant environmental effects.

Table 5 – The matrix approach to the assessment is supported, particularly the use of a comments column to provide some explanation. It would appear that the third part of the “vision” has been omitted.

Schedule 3 of the Act requires a non technical summary in Environmental Reports. This is currently omitted, although it should be said that the report is written both concisely and using non technical language which means the usefulness of a non technical summary is less in this case.