



William Carlin  
SEA Gateway Manager  
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Our ref: PF 04/06-07

24 April 2006

Dear Mr Carlin

**ENVIRONMENTAL ASSESSMENT OF PLANS AND PROGRAMMES  
(SCOTLAND) REGULATIONS 2004  
STIRLING: CORE PATH PLAN, SCREENING DETERMINATION**

Thank you for your screening consultation submitted on 7 March 2006 via the Scottish Executive Gateway.

In accordance with Section 14(3) of the Environmental Assessment of Plans and Programmes (Scotland) Regulations 2004, Scottish Natural Heritage (SNH) has considered your screening report using the criteria set out in Schedule 1 for determining the likely significance of effects on the environment.

SNH's view in respect of each of these criteria is set out in Annex 1 attached. Accordingly, SNH disagrees with the screening report from Stirling Council that states that the Plan is not likely to have significant environmental effects. In our opinion, the above Plan is likely to have significant environmental effects and therefore does require an assessment in accordance with the aforementioned Regulations.

Please note that this consultation response provides a view solely on the potential for the strategy to have significant environmental effects. SNH cannot comment on whether or not the plan meets other criteria determining the need for SEA as set out in the Regulations (e.g. under Regulation 2 (a) and (b) required by legislative, regulatory or administrative provision', Regulation 9 (a) 'sets the framework for development consents'). These are for the Responsible Authority to determine.

Should you wish to discuss this screening determination, please do not hesitate to contact Ross Johnston or Stuart Davies at the above address or contact SNH's SEA gateway at [sea.gateway@snh.gov.uk](mailto:sea.gateway@snh.gov.uk) .

Yours sincerely,

Ross Johnston

Operations Manager

Argyll & Stirling

cc: Historic Scotland Gateway

SEPA Gateway

SNH Gateway

**ANNEX 1**

**REGULATION 13 – SCHEDULE 1**

**CRITERIA FOR DETERMINING THE LIKELY SIGNIFICANCE OF EFFECTS ON THE ENVIRONMENT**

Schedule 1 Criteria	Regulation 13 determination - Are significant environmental effects likely ? <i>(Responsible Authority's assessment)</i>	SNH's Assessment Yes/No/Unknown	SNH's Comments And Additional Information
1.The characteristics of plans and programmes, having regard, in particular to:			
(a) the degree to which the plan or programme sets a framework for projects and other activities, either with regard to the location, nature, size and operating conditions or by allocating resources;	NO	YES	The core path plan should influence recreational activity which itself can have significant environmental impacts and the cost of the consultation and implementation of the plan will affect the delivery of other environmental work by the local authority.
(b) the degree to which the plan or programme influences other plans and programmes including those in a hierarchy;	NO	YES	The core path plan will influence other plans and programmes such as the local plan, the open space strategy, the urban woodland strategy and the LBAP.
(c) the relevance of the plan or programme for the integration of environmental considerations in particular with a view to promoting sustainable development;	NO	YES	The core path plan will form part of the wider transport strategy and affect initiatives to encourage sustainable transport such as travel to work, safe routes to schools, paths to health etc
(d) environmental problems relevant to the plan or programme;	NO	YES	Disturbance to sensitive wildlife and habitats, visual and landscape impacts
(e) the relevance of the plan or programme for the	NO	YES	Stirling Council has obligations and

implementation of Community legislation on the environment (for example plans and programmes linked to waste management or water protection);			requirements under the Habitats Directive in relation to seven SACs and European Protected Species including otters, great crested newts and bats.
<b>2. Characteristics of the effects and of the area likely to be affected, having regard, in particular, to -</b>			
(a) the probability, duration, frequency and reversibility of the effects;	NO	YES	Several sensitive sites already have access routes with a high probability of long-term effects from the core path plan
(b) the cumulative nature of the effects;	NO	YES	Impacts on recreational behaviour and sustainable transport are likely to be cumulative across the core path plan area.
(c) the transboundary nature of the effects; <i>(in UK international cases)</i>	NO	NO	
(d) the risks to human health or the environment (for example due to accidents);	NO	YES	There is the potential for damage to sensitive habitats and species from construction, maintenance and operation. There is the potential for more accidents due to the nature of multi-user routes.
(e) the magnitude and spatial extent of the effects (geographical areas and size of the population likely to be affected);	NO	YES	The plan will extend across the Stirling Council area outwith the National Park
(f) the value and vulnerability of the area likely to be affected due to:	NO	YES	
i. special natural			The Stirling area

characteristics or cultural heritage;			contains many features of natural interest such as Special Areas of Conservation and Sites of Special Scientific Interest
ii. exceeded environmental quality standards or limit values; or			
iii. intensive land-use; and			
(g) the effects on areas or landscapes that have a recognised national, Community or international protection status.	NO	YES	Effects on landscape could be negative or positive, e.g. access improvements within an Inventory Historic Garden Designed Landscape site could involve the reinstatement of valued features (hedges, walls, avenues).

### Other Issues / Comments

*SNH would like to make the following additional comment:*

### Biodiversity

- We recommend specific reference to European Protected Species; to maintaining links between features of nature conservation value (in accordance with Article 10 of the Habitats Directive); to national and Stirling BAP species and habitats.
- We would recommend that specific reference is made to the Scottish Biodiversity List (as described in Section 2 (4) of the Nature Conservation (Scotland) Act 2004 and to the statutory duty on all public bodies to further the conservation of biodiversity
- In addition to the European Protected Species referred to at 1 (e) above, reference should be made to potential effects on other protected species such as birds, badgers red squirrels and water voles.