

SEA SCREENING REPORT (COVER NOTE)

PART 1

To: SEA.gateway@scotland.gsi.gov.uk
or
SEA Gateway
Scottish Government
Area 1 H (Bridge)
Victoria Quay
Edinburgh EH6 6QQ

PART 2

An SEA Screening Report is attached for the plan, programme or strategy (PPS) entitled:

Contaminated Land Strategy

The Responsible Authority is:

West Dunbartonshire Council

COMPLETE PART 3 or 4 or 5

PART 3

Screening is required by the Environmental Assessment (Scotland) Act 2005. Our view is that:

- an SEA is required** because the PPS falls under the scope of Section 5(3) of the Act and is likely to have significant environmental effects **or**
- an SEA is required** because the PPS falls under the scope of Section 5(4) of the Act and is likely to have significant environmental effects **or**
- an SEA is not required** because the PPS is unlikely to have significant environmental effects

PART 4

- The PPS does not require an SEA under the Act. However, we wish to carry out an SEA on a voluntary basis. We accept that, because this SEA is voluntary, the statutory 28 day timescale for views from the Consultation Authorities cannot be guaranteed.

PART 5

- None of the above apply. We have prepared this screening report because:
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.....
.....

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PART 6

Contact name

Sarah Hamill

Job Title

Contaminated Land Officer

Contact address

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PART 7

Signature
(electronic
signature
is acceptable)



Date

24/09/13

SEA SCREENING REPORT - KEY FACTS

| | |
|--|---|
| Responsible Authority | West Dunbartonshire Council |
| Title of PPS | Contaminated Land Strategy |
| Purpose of PPS | To summarise the approach which should be adopted when dealing with potentially contaminated land in order that sites are dealt with in a strategic, rational and ordered way and to also ensure that all areas at risk from contamination are dealt with appropriately. |
| What prompted the PPS (e.g. a legislative, regulatory or administrative provision) | This strategy has been produced to comply with the requirements of Part IIA of the Environmental Protection Act 1990. This Act places a duty on all local authorities to prepare a written strategy. This version of the strategy replaces the original strategy that was produced in 2001 following the introduction of the Part IIA regime in Scotland in 2000. |
| Subject (e.g. transport) | Environmental Protection |
| Period covered by PPS | Five Years |
| Frequency of updates | Five years or a result of significant legislative/internal policy changes |
| Area covered by PPS (e.g. geographical area – it is good practice to attach a map) | West Dunbartonshire Council Area |
| Summary of nature/content of PPS | The strategy outlines the procedures that are currently adopted to identify and prioritise sites as well as summarising the methodology used to risk assess and update sites as and when new information becomes available. |
| Are there any proposed PPS objectives? | <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO |
| Copy of objectives attached | <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO |
| Date | 24th September 2013 |

SCREENING TEMPLATE - GUIDANCE NOTE 1

- 1 The Responsible Authority should present its determinations regarding whether there are any likely significant environmental effects (both positive and negative).
- 2 Criteria for determining the likely significant effects on the environment are provided in Schedule 2 of the Act.
- 3 You may find it helpful to present your assessment of significant environmental effects using Table 1 which is the format preferred by the Consultation Authorities. An example is given below of how the first two rows of this table may be completed. A blank version of the whole table is given overleaf.

TABLE 1 – EXAMPLE

| <p>Criteria for determining the likely significance of effects on the environment</p> <p>(Schedule 2 of the Environmental Assessment (Scotland) Act 2005)</p> | <p>Likely to have significant environmental effect?</p> | <p>Summary of likely significant environmental effects (negative and positive)</p> |
|--|--|---|
| <p>(a) the degree to which the strategy, 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;</p> | | |
| <p>(b) the degree to which the strategy, plan or programme influences other plans and programmes including those in a hierarchy;</p> | | |

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Our determinations regarding the likely significance of effects on the environment of our Contaminated Land Strategy is set out in Table 1.

TABLE 1 – LIKELY SIGNIFICANCE OF EFFECTS ON THE ENVIRONMENT

| TITLE OF PPS | | |
|---|---|---|
| Contaminated Land Strategy | | |
| RESPONSIBLE AUTHORITY | | |
| West Dunbartonshire Council | | |
| Criteria for determining the likely significance of effects on the environment (1(a), 1(b) etc. refer to paragraphs in Schedule 2 of the Environmental Assessment (Scotland) Act 2005) | Likely to have significant environmental effects? YES/NO | Summary of significant environmental effects (negative and positive) |
| 1(a) the degree to which the PPS sets a framework for projects and other activities, either with regard to the location, nature, size and operating conditions or by allocating resources | NO | The Contaminated Land Strategy provides direction as to how sites with the potential to contain contamination should be dealt with however in the current climate it relies on other PPS to provide the means on which to achieve this. |
| 1(b) the degree to which the PPS influences other PPS including those in a hierarchy | NO | The Contaminated Land Strategy has been prepared to demonstrate how West Dunbartonshire Council are meeting their statutory duty in dealing with land contamination. While in preparing other PPS it should be considered it does not have a direct influence on the projects or actions that are included within these PPS |
| 1(c) the relevance of the PPS for the integration of environmental considerations in particular with a view to promoting sustainable development | YES | The Contaminated Land Strategy is focussed on environmental improvements and promoting sustainable development. Land contamination has been considered in other council PPS that have already been subject to SEA (e.g. Local Dvpt Plan, Sustainable Development Strategy) |

| Criteria for determining the likely significance of effects on the environment (1(d) etc. refer to paragraphs in Schedule 2 of the Environmental Assessment (Scotland) Act 2005) | Likely to have significant environmental effects? YES/NO | Summary of significant environmental effects (negative and positive) |
|--|---|--|
| 1(d) environmental problems relevant to the PPS | NO | No environmental problems are foreseen with this Strategy as its main objective is to ensure that any sites found to be having a negative environmental affect are dealt with appropriately |
| 1(e) the relevance of the PPS for the implementation of Community legislation on the environment (for example, PPS linked to waste management or water protection) | NO | The purpose of this Strategy is to demonstrate that the council are meeting their statutory duty in dealing with land contamination. It does however provide an explanation on how the PartIIA regime interacts with other environmental regimes such as PPS, CAR etc.. |
| 2 (a) the probability, duration, frequency and reversibility of the effects | NO | The contaminated land strategy is a procedural strategy that explains how WDC propose to deal with land contamination and while it will therefore aid decision making processes there is no way of estimating the probability, duration or frequency of the effects as there are a number of other factors that could influence this, i.e budget and demand |
| 2 (b) the cumulative nature of the effects (See Chapter 12 of Tool Kit) | YES | It could be said that on a site by site basis, and in particular for the sites that have been directly dealt with through the strategy that the cumulative effects have been minimal. However one of the main objectives of the strategy is to raise awareness of land contamination issues and therefore aid decision making processes in other PPS. Land contamination is a material consideration within the planning regime resulting in the successful regeneration of a number of former industrial sites throughout the authority which cumulatively has made significant environmental improvements to the area. |
| 2 (c) transboundary nature of the effects (i.e. environmental effects on other EU Member States) | NO | The strategy is specific to WDC meaning that any transboundary effects from the implementation of this strategy are considered unlikely. |
| 2 (d) the risks to human health or the environment (for example, due to accidents) (See Chapter 11 of Tool Kit) | NO | One of the main factors to be considered in implementing the Strategy is to ensure that any risks arising from land contamination is appropriately dealt with and while there may be the potential for a slight increase in risks to human health during any remediation works these should be assessed and appropriate measures in place to mitigate against this |

| Criteria for determining the likely significance of effects on the environment (2(e), 2(f) etc refer to paragraphs in Schedule 2 of the Environmental Assessment (Scotland) Act 2005) | Likely to have significant environmental effects? YES/NO | Summary of significant environmental effects (negative and positive) |
|--|---|--|
| 2 (e) the magnitude and spatial extent of the effects (geographical area and size of the population likely to be affected) | YES | In the past WDC have been able to commission projects directly through the Contaminated Land Strategy with 14 sites (60ha) being investigated, 2 (18ha) of which have been designated as Contaminated Land and 4 (24ha) of which have been successfully remediated. However change in council priorities now means that sites are now more likely to improve through the implementation of the strategy through other WDC plans (Local Plan, Economic Development Strategy, Open Space Strategy) |
| 2 (f) the value and vulnerability of the area likely to be affected due to- (i) special natural characteristics or cultural heritage; (ii) exceeded environmental quality standards or limit values; or (iii) intensive land-use. | YES | In implementing the Strategy, one of the main objectives is to ensure that sites are properly assessed in order that sites considered vulnerable can be identified and subsequently improved. |
| 2 (g) the effects on areas or landscapes which have a recognised national, Community or international protection status | YES | In implementing the Strategy consideration is also to be given to protected areas which are also to be assessed in order that exceedances can be identified and if necessary dealt with. There is also the potential that any works to improve the site may have a negative impact on these protected areas however this is assessed to ensure that appropriate measures are in place to mitigate against this. |

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A summary of our considerations of the significant environmental effects of our Contaminated Land Strategy is given below.

TABLE 2 – SUMMARY OF ENVIRONMENTAL EFFECTS

West Dunbartonshire Council's (WDC) first Contaminated Land Strategy (CLS) was published in 2001 following the introduction of Part IIA of the Environmental Protection Act 1990 in Scotland in July 2000 which placed a duty on all Scottish local authorities to prepare and publish a written strategy. This strategy is now being formally revised to take account of changes to guidance and practices both internally and externally.

The main purpose of the strategy is to provide details of the procedures and methodology that WDC currently adopt in order to meet their statutory obligations which on their own do not result in significant environmental effects. Over the years, WDC have been in a position to deal with land contamination issues directly however budget constraints have resulted in changes to council priorities meaning that land contamination issues are now more likely to be dealt with through the integration of land contamination issues in other council PPS (Local Development Plan; Economic Development Strategy, Sustainable Development Strategy etc).

The new strategy clearly demonstrates how the Part IIA regime interacts with other regimes and more importantly demonstrates that land contamination issues are a material consideration in a number of regimes and should therefore aid the decision making processes within these.

In addition to this the Strategy summarises the methodology that WDC currently adopt to risk assess and update sites as and when new information becomes available. A key factor to do this is through good data collection which WDC do on an iterative basis through the use of a GIS based prioritisation tool and associated databases. On occasion this process may result in an intrusive site investigation being undertaken however the environmental impact of this is minimal and not therefore considered to be significant.

In summary, the Contaminated Land Strategy summarises the approach that WDC currently adopts when dealing with land contamination issues in order that sites are dealt with in a strategic, rational and ordered way and also to ensure that all areas at risk from contamination are dealt with appropriately. It provides details of the procedures and methodologies on which to do this and relies on other PPS to provide the actions and therefore means to achieve this.

In conclusion, while this Strategy has the potential to result in significant environmental positive effects, in the current economic climate it is considered to be a procedural strategy therefore resulting in minimal impact upon the environment.