

**POST-ADOPTION SEA STATEMENT – COVER NOTE**

**PART 1**

**To:** [SEA.gateway@scotland.gsi.gov.uk](mailto:SEA.gateway@scotland.gsi.gov.uk)

or

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Scottish Executive  
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**PART 2**

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

Dundee Core Paths Plan

**The Responsible Authority is:**

Dundee City Council

**PART 3**

**Contact name** Laura Campbell

**Job Title** Access Officer

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**Signature & date** Laura Campbell 1st April 2008

## POST - ADOPTION SEA STATEMENT

### Post-adoption SEA statement for:

Dundee Core Paths Plan

### Adopted on:

26th January 2009

### Responsible Authority:

Dundee City 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.dundee.gov.uk/outaccess/corepaths](http://www.dundee.gov.uk/outaccess/corepaths)

### 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

Laura Campbell  
Access Officer  
Leisure & Communities Dept.  
Dundee City Council  
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### Times at which the documents may be inspected or a copy obtained:

Mon-Fri 9am - 5pm

**POST-ADOPTION SEA STATEMENT  
KEY FACTS**

<b>Name of Responsible Authority</b>	Dundee City Council
<b>Title of PPS</b>	Dundee Core Paths Plan
<b>Purpose of PPS</b>	The main purpose of the Core Paths Plan is to produce a plan which shows a framework of routes sufficient for the purpose of giving the public reasonable access throughout their area.
<b>What prompted the PPS</b> (e.g. a legislative, regulatory or administrative provision)	Statutory duty under the Land Reform (Scotland) Act 2003
<b>Subject (e.g. transport)</b>	Outdoor Access
<b>Period covered</b>	2009 - 2014
<b>Frequency of updates</b>	5 years (or as per Local Plan)
<b>Area of PPS</b> (e.g. geographical area)	City of Dundee
<b>Summary of nature/content of PPS</b>	The Dundee Core Paths Plan comprises of a series of maps showing which paths are Core Paths throughout the City of Dundee. Supporting text and a Paths Index is also included in the plan.
<b>Date adopted</b>	26th January 2009
<b>Contact name &amp; job title</b> <b>Address, email, telephone number</b>	Laura Campbell Access Officer Leisure & Communities Dept. Dundee City Council Floor 13, Tayside House Crichton Street Dundee DD1 3RA [t] 01382 433748 [e] laura.campbell@dundeecity.gov.uk
<b>Date</b>	1st April 2008

## **POST-ADOPTION SEA STATEMENT STRATEGIC ENVIRONMENTAL ASSESSMENT PROCESS**

The Dundee Core Paths Plan 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 Plan which included consideration of:
  - the baseline data relating to the current state of the environment;
  - links between the Plan and other relevant strategies, policies, plans, programmes and environmental protection objectives;
  - existing environmental problems affecting the Plan;
  - 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 ensue that any unforeseen environmental effects will be identified allowing for appropriate remedial action to be taken.
- Consultation on the Environmental Report was undertaken in parallel with the 12 week consultation period on the content of the Formal Consultation Draft of 'Dundee's Core Paths Plan'. Both the Formal Consultation Draft Plan and the accompanying Environmental Report were made available online and at the premises of Dundee City Council. The consultation period ran from the 16th May to 8th August 2008 as advertised in the local press on 7th May 2008.
- Following the consultation period, the Environmental Report and the results of the consultation were taken into account and used to guide the final decisions regarding the content and scope of the Dundee Core Paths Plan.
- The final version includes a commitment to monitoring the significant environmental effects of the implementation of the Dundee Core Paths Plan to identify any unforeseen adverse significant environmental effects and to take appropriate remedial action. This has been integrated with plans for monitoring the progress made to delivering the Dundee Core Paths Plan itself.

**POST-ADOPTION SEA STATEMENT  
HOW ENVIRONMENTAL CONSIDERATIONS HAVE BEEN  
INTEGRATED INTO THE DUNDEE CORE PATHS PLAN AND HOW  
THE ENVIRONMENTAL REPORT HAS BEEN TAKEN INTO  
ACCOUNT**

**TABLE 1**

<b>ENVIRONMENTAL CONSIDERATIONS AND FINDINGS FROM ENVIRONMENTAL REPORT</b>		<b>INTEGRATED INTO PLAN OR TAKEN INTO ACCOUNT (YES/NO)</b>	<b>HOW INTEGRATED/TAKEN INTO ACCOUNT OR REASON FOR NOT BEING TAKEN INTO ACCOUNT</b>
<b>SEA Topic</b>	<b>Consideration/Finding</b>		
Biodiversity, Flora & Fauna	Promotion and signposting of paths may increase visitor numbers to environmentally sensitive sites	Y	<p>Interpretation, leaflets or boards, explaining and promoting responsible use of the path network and surrounding areas will be encouraged.</p> <p>Paths selected with consideration for the location of the habitats used by protected species, selecting alternatives where necessary.</p> <p>Undertake an Appropriate Assessment on aspirational core path(s) before adopting, where necessary.</p> <p>Develop further mitigation measures to be put in place if path audits record damage or disturbance.</p>
	Potential for disturbance to the Firth of Tay site	Y	Appropriate assessments will be undertaken where required before adopting aspirational core paths.
	Potential for disturbance to European Protected Species e.g. otters, bats, dolphins	Y	Emerging policies on protected species, e.g. dolphin watching, will be promoted.
	Threat of invasive weed species, particularly along riparian routes.	Y	<p>Methods of control of invasive species alongside core path networks will be considered.</p> <p>Conservation volunteers assist with the removal of rhododendron.</p>
	Unauthorised or illegal access as use of motorised forms of recreation, damaging sites and features.	Y	<p>The removal of barriers along routes may increase motorbike use; however, the improvement of sites to encourage legitimate access should discourage illegitimate users.</p> <p>Control methods to be used where required.</p>

<b>ENVIRONMENTAL CONSIDERATIONS AND FINDINGS FROM ENVIRONMENTAL REPORT</b>		<b>INTEGRATED INTO PLAN OR TAKEN INTO ACCOUNT (YES/NO)</b>	<b>HOW INTEGRATED/TAKEN INTO ACCOUNT OR REASON FOR NOT BEING TAKEN INTO ACCOUNT</b>
	Potential for disturbance and damage to natural heritage sites	Y	Access to natural heritage sites will be monitored. The majority of the paths exist and are already popular.
	Opportunities for habitat enhancements alongside core paths will be sought to develop wildlife corridors.	Y	Will be taken forward where opportunities arise, e.g. through planning or greenspace initiatives.
Cultural Heritage	Promotion and signposting of paths may increase visitor numbers to areas important for their historic features	Y	Core paths have been selected to allow access to sites of cultural heritage, but also to take into consideration land management and any negative environmental impacts. Develop further mitigation measures to be put in place if path audits record damage or disturbance. Potential to raise awareness of responsible behaviour through signage and information.
	Potential for disturbance and damage to cultural heritage sites	Y	The plan will promote responsible access to places of cultural and historic significance. Access to cultural heritage sites will be monitored.
	Potential to explore promotion of cultural heritage of path networks and associated sites through the arts e.g. drama, sculpture, poetry.	Y	Progress where opportunities arise - e.g. through community groups or arts funding
Landscape	Areas of local landscape and amenity significance are locations which are likely to be desired for developing access, such as Riverside and Dundee Law, and could be affected by path networks, their longer term maintenance and associated infrastructure.	Y	Opportunity to implement the reinstatement of valued features such as walls and hedges alongside core path networks. Implement monitoring, management and maintenance measures and seek to minimise negative impacts. Potential to raise awareness of responsible behaviour through signage and information.
	The plan has the potential for higher environmental impact if paths are introduced in more sensitive sites. Certain attractive areas	Y	No paths are due to be introduced to sensitive sites in this version of the Plan.

<b>ENVIRONMENTAL CONSIDERATIONS AND FINDINGS FROM ENVIRONMENTAL REPORT</b>		<b>INTEGRATED INTO PLAN OR TAKEN INTO ACCOUNT (YES/NO)</b>	<b>HOW INTEGRATED/TAKEN INTO ACCOUNT OR REASON FOR NOT BEING TAKEN INTO ACCOUNT</b>
	can be particularly sensitive to this through disturbance and pollution.		
	Potential for cumulative effects of increased use of paths networks.	Y	Paths chosen to reduce cumulative impacts, however, assessment and monitoring will be ongoing.
	Positive opportunities exist to improve access to a variety of landscapes and townscapes via core paths. There is also potential to introduce landscape features which compliment the setting.	Y	Take advantage of opportunities which allow this to take place along Core Paths.
	Additional signage may provide more clutter on the landscape.	Y	Consideration will be given to the location and design of signage for core paths.
	There is potential that with increased use there could be an increase of litter and graffiti along Core Paths.	Y	Where possible litter and dog waste bins should be provided, Community Wardens could patrol core paths and rapid response teams could be alerted to remove graffiti.
Population & Human Health	No issues raised		
Water	No issues raised		
Soil & Waste	No issues raised		
Air & Transport	No issues raised		
Climate & Energy	No issues raised		
Material Assets	No issues raised		

**Post-Adoption Sea Statement**  
**How opinions expressed during the consultation have been taken into account**

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

<b>CONSULTEE / RESPONDENT</b>	<b>SUMMARY OF COMMENTS</b>	<b>HOW THE COMMENT WAS TAKEN INTO ACCOUNT IN MAKING THE DECISION TO ADOPT THE FINAL PPS</b>
The Scottish Ministers (Historic Scotland)	The Environmental Report is well-written and easy to follow. We are pleased to note that our comments at the scoping stage have been noted and taken forward.	Noted
	We note that Page 11 of the ER states that there are '563 Grade A Listed Buildings and 82 Grade B Listed Buildings in Dundee'. As a matter of correction this should read '82 Category A Listed Buildings and 565 Category B Listed Buildings'.	Environmental Report amended
	We can confirm that the list of scheduled ancient monuments contained accurate.	Noted
Scottish Environment Protection Agency	In a SEA context, the Plan was unlikely to have significant environmental effects in respect of SEPA's areas of competence: water, soil, air and climatic factors. The Responsible Authority has taken this into consideration and scoped out these SEA topics. Accordingly, SEPA does not have any specific comments regarding the environmental effects of the plan but comments below in relation to the general structure and content of the Environmental Report.	Noted
	The non-technical summary provides information regarding the purpose of the Environmental Report, the key facts relating to the plan and the SEA activities to date. Please note that the non-technical summary should also summarise the findings of the Environmental Report in relation to the information provided under paragraphs 1 to 9 of Schedule 3 of the Environmental Assessment (Scotland) Act 2005.	Environmental Report amended



	SEPA considers that comments provided in its scoping response were taken into account in the preparation of the Environmental Report.	Noted
	SEPA considers that relevant background information is presented in relation to the Core Paths Plan. The relationship with other plans, programmes and strategies is summarised in Section 2.2 and described in detail in Appendix A. This includes information on how these plans, programmes and strategies affect or are affected by the Core Paths Plan and how their objectives might be incorporated into the Core Paths Plan.	Noted
	The relevant aspects of the current state of the environment and the environmental problems relevant to the Dundee Core Paths Plan are described in this Section. The likely evolution of the environmental baseline without the implementation of the Core Paths Plan is also provided.	Noted
	The Environmental Report clearly states the environmental topics within SEPA's areas of competence that are scoped out of the assessment and supports the decisions with adequate justification.	Noted
	SEPA welcomes the approach to the assessment, supported by the use of objectives and detailed assessment matrices with full use of the comments column. As stated above, SEPA does not have any specific comments regarding the environmental effects of the plan as water, soil and waste, air and climatic factors were scoped out of the assessment. SEPA also welcomes the early consideration of a monitoring approach.	Noted
Scottish Natural Heritage	SNH welcomes the cognisance taken of our comments made at the scoping stage (for example adding a specific objective on European Protected Species, reference to specific documents in the context information).	Noted

	<p>The Habitats Regulations make it clear that a development can only proceed if it can be ascertained that it will not adversely affect the integrity of a European site. It is important to note that this is not qualified in any way and is therefore absolute. This has been given further clarity by a judgement in the European Court of Justice (Waddenzee, C-127/02). Any further assessment suggests uncertainty as to the affects of the proposal and has therefore self-evidently not passed the required test of certainty.</p>	Noted
	<p>SNH will provide more information in our response to the Core Paths Plan regarding the candidate core paths' likely significant effect on the qualifying interests on the Firth of Tay and Eden Estuary SPA/SAC. SNH would advise you to refer to this against each Core Paths Area in the Report.</p>	<p>In response to the Core Paths Plan SNH found that the adoption of the candidate core paths identified would not have a significant effect on qualifying interests either directly or indirectly and would therefore not require an appropriate assessment.</p> <p>SNH will be notified at the earliest opportunity in relation to any proposed maintenance or upgrading works on these sites.</p>
	<p>SNH is pleased that you recognise that an Appropriate Assessment should be undertaken prior to the adoption of any aspirational core paths that could have significant effects on the Firth of Tay and Eden Estuary SPA/SAC's natural heritage interests. This assessment will need to determine whether the proposals will have an adverse effect on the integrity of the sites in view of their conservation objectives. Relevant conservation objectives are available via Sitelink on the SNH website.</p>	Noted
	<p>The appropriate assessment should: (1) consider how the works could affect the qualifying interests of the European site; (2) scope the required mitigation (in broad, strategic language), and (3) identify any amendments required to protect the site. It should finally conclude whether it can be ascertained that the proposals will not adversely affect the integrity of the site. Further information regarding undertaking appropriate assessment is available at the following link "Managing Natura 2000 sites"<sup>1</sup>. The Scottish Executive advice on appropriate assessment of development plans may also be relevant<sup>2</sup>.</p>	Noted

<sup>1</sup> [http://ec.europa.eu/environment/nature/nature\\_conservation/eu\\_nature\\_legislation/specific\\_articles/art6/pdf/art6\\_en.pdf](http://ec.europa.eu/environment/nature/nature_conservation/eu_nature_legislation/specific_articles/art6/pdf/art6_en.pdf).

<sup>2</sup> Assessing Development Plans in Terms of the Need for Appropriate Assessment *Interim Guidance*, Scottish Executive, May 2006

	<p>EU guidance<sup>3</sup> on the SEA Directive is quite clear about the relationship between SEA and appropriate assessment and indicates that plans and programmes likely to have a significant effect on Natura sites should undergo appropriate assessment. We would recommend that this is carried out when you review the Core Paths Plan to include the aspirational paths. A date for this review and accompanying SEA should be specified.</p>	<p>Noted</p> <p>Environmental Report states the period covered by the plan is 2008-2013 with 5 yearly reviews- although review timetable is likely to be in line with Local Plan reviews.</p> <p>An appropriate assessment will be carried out when aspirational paths are to be included in the plan - note this may not necessarily be in the next review.</p>
	<p>The Environmental Report should identify the licensing procedures under Regulation 44<sup>4</sup> and the three associated tests for European Protected Species. It should also note that otters are probably under recorded along the River Tay.</p>	<p>Information added as an appendix to the Environmental Report.</p>
	<p>We note the intention to monitor any effects of the Core Paths network. SNH has produced advice and a toolkit for monitoring access and recreation at sensitive natural heritage sites, which can be found at <a href="http://www.snh.org.uk/publications/online/heritage%20management/sensitivities">www.snh.org.uk/publications/online/heritage management/sensitivities</a>.</p>	<p>Noted</p>
	<p>Please note that these comments are in connection with the adequacy of the Environmental Report and are without prejudice to comments that may be made by any of the Consultation Authorities on the plan itself.</p>	<p>Noted</p>

<sup>3</sup> Implementation of Directive 2001/42 on the assessment of the effects of certain plans and programmes on the environment.

<sup>4</sup> The Conservation (Natural Habitats, &c.) Regulations 1994 (as amended)

## **POST-ADOPTION SEA STATEMENT REASONS FOR CHOOSING THE DUNDEE CORE PATHS PLAN AS ADOPTED, IN THE LIGHT OF OTHER REASONABLE ALTERNATIVES**

Developing the Dundee Core Paths Plan involved a process of selection of a number of possible routes as candidate core paths. The selection process for including paths in the Plan involved:

- Consultation with a wide range of community groups, interest groups and others to define the demand for core paths and to examine the wide range of possibilities for core paths.
- The development of key criteria for core paths, with assistance from the Dundee Local Access Forum.
- The development of key criteria for SEA objectives.
- An initial assessment of paths to test the key criteria and then to develop a draft Plan.
- Further consultation and refinement of the Plan following this consultation period, looking at alternative and additional routes where these had been suggested.
- The identification of a number of paths which may be developed into core paths in the future, should funding be found to address maintenance issues or barriers be removed.
- The preparation of a formal consultation draft and again an assessment against the key criteria of any additional or alternative paths suggested.

This process allowed for the alternative versions of the Plan to be tested against our vision for the Plan, and also against SEA objectives. Thus ensuring that SEA objectives were met as the plan was developed and that reasonable alternatives were assessed and chosen on their ability to meet the criteria set out.

The adopted Dundee Core Paths Plan has been selected through a rigorous process of assessing, checking and consulting on a number of alternative criteria and candidate core paths. It meets the requirements of the Land Reform (Scotland) Act 2003, the objectives set by Dundee City Council and the Dundee Local Access Forum for the development of a Core Paths Plan, and the objectives set out by the Environmental Assessment (Scotland) Act 2005.

## **Post-Adoption Sea Statement**

### **Measures that are to be taken to monitor significant environmental effects of the implementation of the PPS**

Section 19 of the Environmental Assessment (Scotland) Act 2005 requires the Responsible Authority to monitor significant environmental effects of the implementation of the PPS. This must be done in such a way as to also identify unforeseen adverse effects and to take appropriate remedial action.

Monitoring of the effects of implementing the Core Paths Plan will be undertaken by regimes currently in place for local authority infrastructure and maintenance through routine monitoring by the environmental authorities. Information about management, maintenance and development of core paths will be collated annually and form part of an overall report on access related work across the Dundee City area.

Monitoring activities will include, but will not be restricted to:

- Green Flag assessments within parks, carried out by the Leisure and Communities Dept, information may include: path and verge condition, sufficiency of signage, barriers to access, and an indication of how busy the paths are.
- Annual monitoring of the Green Circular route by the Countryside Ranger Service.
- Adopted path surveys carried out by the Planning and Transportation Dept
- Bridge surveys carried out by the Planning and Transportation Dept
- Monitoring of the use of core paths and other routes within the Dundee Health Central area as part of the Scottish Government funded Smarter Choices Smarter Places initiative
- Monitoring and reporting on the condition of core paths in the Dundee Health Central area by Dundee Travel Active Volunteer Rangers
- Red squirrel surveys conducted by the Scottish Wildlife Trust
- Bat surveys conducted by the Bat Conservation Trust
- Other relevant natural and cultural heritage surveys

It will not be possible, or necessary, to monitor every core path in detail. It will be important to monitor the Plan across the range of path types in each Core Path area (e.g. footway, shared use path, desire line) to obtain an indication of how the network as a whole is performing and to use different mitigation methods on a site by site basis should problems arise. It may be difficult to monitor the impact of the Core Paths Plan against a rising awareness of outdoor access and a number of other initiatives to promote sustainable and active travel. By including the Scottish Government monitoring process for Dundee Health Central we will be able to see make some assessment of the difference made by a large amount of investment in one area.