

ANGUS CORE PATHS PLAN

POST-ADOPTION SEA STATEMENT

POST-ADOPTION SEA STATEMENT – COVER NOTE

PART 1

To: SEA.gateway@scotland.gsi.gov.uk

or

SEA Gateway
Scottish Executive
Area 1 H (Bridge)
Victoria Quay
Edinburgh EH6 6QQ

PART 2

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

Angus Core Paths Plan

The Responsible Authority is:

Angus Council

PART 3

Contact name Roy Madden

Job Title Natural and Built Environment Manager

Contact address Angus Council
Natural and Built Environment
County Buildings
Market Street
Forfar
DD8 3LG

Contact tel. no 01307 473371

Contact email MaddenR@angus.gov.uk

Signature & date

POST - ADOPTION SEA STATEMENT

Post-adoption SEA statement for:

Angus Core Paths Plan

Adopted on:

23 November 2010

Responsible Authority:

Angus 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:

<http://www.angus.gov.uk/corepathsplan/>

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

Karen van Eeden
Countryside Project Access Officer
Angus Council
County Buildings
Forfar
DD8 3LG
Tel. 01307 473366

Times at which the documents may be inspected or a copy obtained:

9am- 5pm, Monday to Friday, except public holidays

**POST-ADOPTION SEA STATEMENT
KEY FACTS**

Name of Responsible Authority	Angus Council
Title of PPS	Angus Core Paths Plan
Purpose of PPS	To provide a network of core paths for the purpose of providing reasonable public access throughout Angus
What prompted the PPS? (e.g. a legislative, regulatory or administrative provision)	The preparation of the Core Paths Plan is a legislative requirement under section 17 of the Land Reform (Scotland) Act 2003
Subject (e.g. transport)	Outdoor Access
Period covered	From adoption in November 2010 to 2015
Frequency of updates	Review of Plan every 5 years
Area of PPS (e.g. geographical area)	Angus, excluding the area within the Cairngorms National Park
Summary of nature/content of PPS	The Angus Core Paths Plan comprises of a series of maps showing designated Core Paths within their geographical context. It is accompanied by supportive text and a definitive list of all paths, including path length
Date adopted	23 November 2010
Contact name & job title Address, email, telephone number	Roy Madden Natural and Built Environment Manager Angus Council County Buildings Market Street Forfar DD8 3LG Tel. 01307 473371 E-mail- MaddenR@angus.gov.uk
Date	10 May 2011

POST-ADOPTION SEA STATEMENT STRATEGIC ENVIRONMENTAL ASSESSMENT PROCESS

The Angus 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 PPS which included consideration of:
 - the baseline data relating to the current state of the environment;
 - links between the PPS and other relevant strategies, policies, plans, programmes and environmental protection objectives;
 - existing environmental problems affecting the PPS;
 - 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.
- Consulting on the Environmental Report
- Taking into account the Environmental Report and the results of consultation in making final decisions regarding the PPS
- Committing to monitoring the significant environmental effects of the implementation of the PPS. This will also identify any unforeseen adverse significant environmental effects and to enable taking appropriate remedial action.

**HOW ENVIRONMENTAL CONSIDERATIONS HAVE BEEN INTEGRATED INTO THE CORE PATHS PLAN
AND HOW THE ENVIRONMENTAL REPORT HAS BEEN TAKEN INTO ACCOUNT**

ENVIRONMENTAL CONSIDERATIONS AND FINDINGS FROM ENVIRONMENTAL REPORT	INTEGRATED INTO PLAN (YES/NO)	HOW INTEGRATED/TAKEN INTO ACCOUNT OR REASON FOR NOT BEING TAKEN INTO ACCOUNT
<p>Baseline environmental data from designated sites has identified areas requiring special attention. Minor negative impact is recorded for Kinpurnie Hill</p>	<p align="center">Yes</p>	<p>The adopted Core Paths are existing routes. Where appropriate, signage and interpretation will be used to raise awareness and understanding of natural and cultural heritage.</p> <p>At Kinpurnie Hill, the site of an unfinished hill-fort, the path will be monitored and if any adverse impacts become evident, mitigation measures will be agreed with Historic Scotland.</p>
<p>Physical path improvements are not a necessary component of the Core Paths Plan, other than to improve signage. However instances may occur when paths require improvements/upgrading.</p> <p>A Sensitivity Assessment will be made to assess the likely significant effects that:-</p> <ol style="list-style-type: none"> 1. new path construction 2. upgrading existing paths 3. changing path maintenance 4. Site promotion <p>will have on sensitive heritage sites</p>	<p align="center">Yes</p>	<p>Any future path works that may impact on a designated site will be subject of prior consultation with Scottish Natural Heritage/Historic Scotland and any licences/consents obtained.</p> <p>A Sensitivity Assessment will be incorporated into the environmental monitoring to ensure that no future activities will adversely impact on the sensitive natural and cultural heritage of the site.</p>

**HOW ENVIRONMENTAL CONSIDERATIONS HAVE BEEN INTEGRATED INTO THE CORE PATHS PLAN
AND HOW THE ENVIRONMENTAL REPORT HAS BEEN TAKEN INTO ACCOUNT**

ENVIRONMENTAL CONSIDERATIONS AND FINDINGS FROM ENVIRONMENTAL REPORT	INTEGRATED INTO PLAN (YES/NO)	HOW INTEGRATED/TAKEN INTO ACCOUNT OR REASON FOR NOT BEING TAKEN INTO ACCOUNT
<p>Monitoring measures will be put in place to identify any unforeseen effects and allow appropriate remedial action to be undertaken</p>	<p align="center">Yes</p>	<p>The physical condition of paths and impacts on the environment, such as evidence of erosion, damage to vegetation cover, litter, etc. will be held on the Countryside Access Management System (CAMS) data base. Reported incidents of wildlife disturbance will also be recorded.</p> <p>Site features, previously identified during the Sensitivity Assessment will be recorded and monitored to ensure that activities do not have a detrimental effect on the site. Remedial action will be taken if path management or activities are seen to be having a negative impact on the site.</p> <p>On sites owned by the Council monitoring will take place by regular patrolling from the Countryside Rangers and Neighbourhood Services maintenance teams. Other paths will be inspected by Access Officers and volunteers, with comments from the public to help identify any problems with path condition.</p>

POST ADOPTION SEA STATEMENT
HOW OPINIONS EXPRESSED DURING THE CONSULTATION HAVE BEEN TAKEN INTO ACCOUNT

TABLE 2 – CONSULTATION RESPONSES

CONSULTEE / RESPONDENT	SUMMARY OF COMMENTS	HOW THE COMMENT WAS TAKEN INTO ACCOUNT IN MAKING THE DECISION TO ADOPT THE FINAL PPS
Scottish Environment Protection Agency	SEPA considers that the Environmental Report provides an adequate level of assessment of the potential significant environmental effects of the Angus Council Draft Core Paths Plan	Noted
Scottish Natural Heritage	<p>The ER concludes that no proposed Core Path will have a negative impact on the natural heritage. We recommend that any proposals that could affect the natural heritage interests, such as:</p> <ul style="list-style-type: none"> • Construction of new paths • Upgrading existing paths • Changing maintenance regimes • Improving promotion in ways likely to increase or change type of path use (including by dogs) <p>Should be assessed carefully for possible impacts. Because details of any future construction, maintenance or promotion are not known at present, a statement should be included in the adopted Core Paths Plan that no such activities will be undertaken until an assessment of likely significant effects on sensitive natural heritage impacts is undertaken, which reflect protective legislation.</p>	<p>Noted.</p> <p>A Sensitivity Assessment will be carried out on the upgrading, maintenance and promotion of paths as part of the SEA monitoring. Any future path works that may impact on a designated site will be subject of prior consultation with Scottish Natural Heritage and any consents/licences obtained</p>

CONSULTEE / RESPONDENT	SUMMARY OF COMMENTS	HOW THE COMMENT WAS TAKEN INTO ACCOUNT IN MAKING THE DECISION TO ADOPT THE FINAL PPS
The Scottish Ministers (Historic Scotland)	<p>We are content that the comments we provided on the scoping report on 12 December 2007 have been taken account of in the preparation of the ER. On a minor note we suggest the Appendix 3 Table Environmental Baseline Data, Cultural Heritage Section – Number/Location of Scheduled Ancient Monuments should include Historic Scotland in the Information Source column</p> <p>Historic Scotland provided detailed comments on specific paths in Annex A and provided details of recommendations for the appropriate consideration of the historic environment relating to Core Paths in Annex B</p>	Noted

Historic Scotland Comments – Annex A

Map Number	Path Number(s)	Potential Impact(s)	Comments	Mitigation	Monitoring
1	003	SAM Mile Cairn 860m NNE of Ardoch (index No.6940)	Refer to Annex B Sections 1.2, 3.1, 4.1	Agreed	Agreed
4	009	The Burn Garden and Designed Landscape	Refer to Annex B Sections 1.2, 3.4, 4.3	Agreed	Agreed
5	035	SAM Kirkton of Glenisla, footbridge (index number 4139)	Refer to Annex B Sections 1.2, 3.1, 4.1	Agreed	Agreed

Map Number	Path Number(s)	Potential Impact(s)	Comments	Mitigation	Monitoring
6	021 022	Cortachy Castle Garden and Designed Landscape	Refer to Annex B Sections 1.2, 3.4, 4.3	Agreed	Agreed (appendix 5 noted)
8	073	Cat A Marykirk Bridge, Tollhouse (HB Num 11178), Cat A Marykirk Bridge over River North Esk (HB Num 13891)	Refer to Annex B Sections 1.2, 3.3, 4.3	Agreed	Agreed
8	018	SAM Stracathro, Roman fort and camp. SAM Inchbare, cursus NE of (Index No. 6373)	Refer to Annex B Sections 1.2, 3.1, 4.1	Agreed	Agreed (Appendix 5 noted)
8	042	Cat A Logie Schoolhouse, former U.F. Church (HB Num 50209)	Refer to Annex B Sections 1.2, 3.3, 4.3	Agreed	Agreed
10A	261 262 263	SAM Caldhame Wood, Roman Road (Index No. 143)	Refer to Annex B Sections 1.2, 3.1,4.1	Agreed	Agreed (Appendix 5 noted)
12A	094	Craig House Garden and Designed Landscape	Refer to Annex B Sections 1.2, 3.4, 4.3	Agreed	Agreed
13	233	SAM Kinpurney Hill, fort (Index No.3219)	Refer to Annex B Sections 1.2, 3.1,4.1	Agreed; Section 4.4.2 comments noted	Agreed; Section 4.4.2 comments noted
17	160 161 187	SAM Ardownie Farm Cottages, souterrains 50m SW of (Index No. 6512)	Refer to Annex B Sections 1.2, 3.1, 4.1	Agreed	Agreed
17A	195	Cat A Balmoissie, Railway Viaduct (HB Num 25739)	Refer to Annex B Sections 1.2, 3.3, 4.3	Agreed	Agreed

Historic Scotland Comments – Annex B

1. General considerations

Impacts on historic environment features often depend on the land-take associated with infrastructure and supporting activities, and may be avoided through appropriate locational measures. Impacts on the historic environment should be considered in terms of the following:

- Direct i.e. loss and or damage to a feature of the historic environment
- Indirect i.e. effects of the setting; changes to surface drainage patterns; removal of peat, etc
- Any works to maintain/upgrade paths which cross listed structures such as bridges may require Listed Building Consent (LBC)
- Any works to maintain/upgrade paths or insert sign posts within a scheduled area will require Scheduled Monument Consent (SMC) – see SHEP 2
- Sign posts erected in the vicinity of scheduled monuments or listed buildings should be located in a position which does not impact on the setting of the monument or listed building. These works may need consent under the GDPO
- Additionally, Historic Scotland should be consulted on any works to create/maintain/upgrade paths where they fall within the boundary of a garden or designed landscape included in the Inventory of Gardens and designed Landscapes in Scotland.

2. Policy

The sensitivity of such sites and the historic environment as a whole should be taken into account in any assessment of environmental impacts associated with the creation and maintenance of core paths. Scottish Historic Environment Policy (SHEP) 1 explains what we mean by the term “historic environment”. It sets out Scottish Ministers’ vision for the future of the historic environment, the key principles and policies which apply, and the role of HS and others in delivering this vision. Other documents in the SHEP series provide more details on the specific policies which apply to particular aspects of the historic environment. These documents can all be found on Historic Scotland’s website at www.historicscotland.gov.uk/index/heritage/policy/sheps.htm

3. Impacts on Designated Sites

3.1 Scheduled Monuments: Numerous proposed core paths are existing routes which cross or are in close proximity to scheduled monuments. Where new paths are proposed in the vicinity of scheduled areas we strongly advise that they should be re-routed to avoid all such direct impacts. Any works proposed to create new or improve existing paths through the legally protected area of a scheduled monument would require the prior written consent of Scottish Ministers (scheduled monument consent) under Section 2 of the provisions of the Ancient Monuments and Archaeological Areas Act 1979. Applications for scheduled monument consent (SMC) should be made to Historic Scotland. SHEP 2 provides further details on this process. However it should not be assumed that such consent would necessarily be forthcoming for such

works. If you wish to discuss SMC, please contact our area Inspector of Ancient Monuments.

3.2 Properties in Care: Historic Scotland should also be consulted on any proposals to upgrade or carry out physical works within the boundary of any Properties which are in the Care of Scottish Ministers and maintained by Historic Scotland on works affecting the setting of an A-listed structure.

3.3 Listed Buildings: Any works directly affecting a listed structure will require Listed Building Consent. The planning authority should consult with Historic Scotland on works affecting the setting of an A-listed structure.

3.4 Gardens and Designed Landscapes: Proposals to upgrade core paths which pass through designated gardens and designed landscapes, which follow the line of existing paths, should be informed by the existing, often original, path structure. Proposals for paths which have no historic precedent should be carefully considered to ensure that they will not significantly impact upon the visual integrity of a particular area or, threaten the viability of important trees or planting.

4. Signs

4.1 For proposed signage that may lead to works on a scheduled monument, we recommend early consultation with Historic Scotland. Under Section 2 of the Ancient Monuments and Archaeological Act 1979, any works within the scheduled area, for example temporary fencing, installation of gates and sign posting, can only be carried out with the prior written consent of Scottish Ministers (SMC).

4.2 In the case of paths which lie within or adjacent to properties in the care of Scottish Ministers we would recommend early discussion with Historic Scotland on the content of signage referring to these monuments and their status.

4.3 Responsibility for assessing proposed signage works affecting listed buildings lies with Angus Local Authority. Where such proposed works involve changes to A and B listed buildings, they require to be referred to Historic Scotland for Listed Building Consent. For further advice, contact the local planning officer but in general terms, signs should be carefully located and it may be more appropriate to place a sign near rather than on a listed structure. Their design should complement the age and architectural style of the building and their materials, colour and lettering should be carefully chosen. The number of fixings should be the minimum necessary, should be non-ferrous and where possible, should be fixed into the joints rather than into the masonry.

POST-ADOPTION SEA STATEMENT

REASONS FOR CHOOSING THE ANGUS CORE PATHS PLAN AS ADOPTED, IN THE LIGHT OF OTHER REASONABLE ALTERNATIVES

The Core Paths Plan has been produced as part of the requirements under Land Reform (Scotland) Act 2003. The process involved several consultations and assessments to initially identify paths and then select the paths which fitted the necessary criteria. A number of objections to paths were raised during the formal consultation on the Plan, resulting in a Local Inquiry and modifications to a small number of the paths in the Plan.

Reasonable alternatives have been considered throughout the development of the Plan, including alternative re-alignments. However, the majority of routes have been used as paths for many years, making Core Path designation unlikely to significantly alter their current use.

Consideration of the environmental effects of the Plan has been integral in the process of developing the Core Paths Plan. The assessment has shown that the Plan is unlikely to have an adverse impact on the environment and may in fact have a positive effect on the management of sites, through better access management on sensitive sites

The Plan meets the requirements of the Land Reform (Scotland) Act 2003, the objectives set by Angus Council and the Local Access Forum for the development of a Core Paths Plan, and the objectives set out by the Environmental Assessment (Scotland) Act 2005.

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 during the implementation of the Plan. This must be done in a way as to also identify unforeseen adverse effects and to take appropriate remedial action.

Monitoring information will be held on the Countryside Access Management System (CAMS). This will record the condition of paths and combined with photographic evidence, will form the basis of path condition monitoring. The physical condition of the paths and any impacts on the environment, such as evidence of erosion, damage to vegetation cover, etc will be recorded along with incidents of disturbance to wildlife.

Monitoring activities will include:

- Condition monitoring of adopted core paths will be conducted by Countryside Access Officers, the Council's Ranger Service and volunteers.
- Monitoring of adopted core paths that pass through parks and routes maintained by the Council by Neighbourhood Services.
- A Sensitivity Assessment will be completed to identify likely significant effects on sensitive natural heritage during:-
 1. construction of new paths
 2. upgrading existing paths
 3. changing maintenance regime
 4. improving promotion in ways likely to increase or change type of path use (including by dogs)
- Data gathered from SNH Site Condition Monitoring, RSPB and Scottish Wildlife Trust reserves will provide information on designated sites throughout Angus. This regular monitoring and reporting of any significant environmental issues will allow mitigation measures to be implemented at an early stage.
- More detailed habitat, species or archaeological surveys would be conducted if highlighted during the Sensitivity Assessment or as a requirement under the Best Practice Guidance for Working around Water.