

2016

**Fermanagh and
Omagh District
Council**

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Fermanagh and Omagh Draft Community Plan SEA SCREENING REPORT

This SEA Screening Report Template has been developed by Fermanagh and Omagh Community Planning staff in the absence of a template for NI. The contents of the report relate to the requirements contained in Schedule 1 of The Environmental Assessment of Plans and Programmes Regulation (Northern Ireland) 2004 and will assist in determining the need for an SEA assessment for the Community Plan for the Fermanagh and Omagh area.

SEA SCREENING REPORT (COVER NOTE)

Part 1

Consultation Body: Department of the Environment
Northern Ireland Environment Agency (NIEA)
Klondyke Building, Cromac Avenue,
Gasworks Business Park,
Lower Ormeau Road,
Belfast, BT7 2JA

Legislative Requirement: The Development, implementation and monitoring of the Community Plan is a legislative function prescribed in the *Local Government Act (NI) 2014*.

Part 2

Screening is required as outlined in the 'EU Directive 2001/42/EC on the assessment of the effects of certain plans and programmes on the environment – (commonly known as the 'SEA Directive' and translated into a Northern Ireland law in '*The Environmental Assessment of Plans and Programmes Regulation (Northern Ireland) 2004*'.

Determination

An SEA is required because the Community Plan falls under the scope of Section 5 (1) and is likely to have significant environmental effects.

The Responsible Authority is Fermanagh and Omagh District Council.

Contact Officer: Kim McLaughlin, Head of Community Planning & Performance.

Signed:..........

Date:.....19/2/16.....

Introduction

The EU Directive 2001/42/EC on the assessment of the effects of certain plans and programmes on the environment – (commonly known as the 'SEA Directive') has the objective of providing for a high level of protection of the environment and to contribute to the integration of environmental considerations into the preparation of and adoption of plans and programmes with a view to promoting sustainable development, by ensuring that, in accordance with the Directive, an environmental assessment is carried out of certain plans and programmes which are likely to have significant effects on the environment.

Article 32 of the SEA Directive details the characteristics that 'plans and programmes' must possess for the SEA Directive to apply and include those:

'which are subject to preparation and/or adoption by authority at national, regional or local level or which are prepared by an authority for adoption, through a legislative procedure by parliament or Government, and, which are required by legislative, regulatory or administrative provisions'.

The Fermanagh and Omagh Community Plan falls within the scope of Article 2 of the EU Directive 2001/42/EC as it is a plan that is (a) subject to adoption by the Council and (b) is directed by the legislative and regulatory provisions of the *Local Government Act (Northern Ireland) 2014*.

The EU Directive 2001/42/EC has been transposed into Northern Ireland law within the *Environmental Assessment of Plans and Programmes Regulation (Northern Ireland) 2004* and provides in Part I that a determination needs to be made as to whether certain plans or programmes are required to undertake an SEA process. Making a determination is the first stage of the SEA process and is referred to as 'screening'.

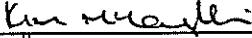
Screening is required under the above named regulations to determine whether the policies or objectives of any plan or programme would be likely to have significant effects on the environment.

The aim of this report is to determine if the Community Plan requires an SEA to be undertaken. The objectives are:

- To set out and consider the characteristics of the Community Plan.
- To set out and consider the characteristics of the environmental effects of the Community Plan and the areas likely to be affected.
- To inform and advise the Northern Ireland Environment Agency (NIEA) and Fermanagh and Omagh District Council of the determination made.

Article 2 and 3 of the SEA Directive sets out the criteria which determines the requirement for a SEA process to be processed. Article 3 provides for a determination on a case by case basis as to whether plans are likely to have a significant environmental effect taking into account the criteria of Annex II of the Directive (transposed into Northern Ireland law this refers to Schedule 1 of the *Environmental Assessment of Plans and Programmes Regulation (Northern Ireland) 2004*).

Application of the Screening criteria was applied with guidance from ' A Practical Guide to the Strategic Environmental Assessment Directive' from the Office of the Deputy Prime Minister.

Table 1	
Responsible Authority	Fermanagh and Omagh District Council
Contact Address / Person	Head of Community Planning & Performance Mrs Kim McLaughlin The Grange, Mountjoy Road Omagh County Tyrone BT79 7BL 0300 303 1777 kim.mclaughlin@fermanaghomagh.com
Approval Signature	
Date of Submission	19 th February 2016
Title of Plan	Fermanagh and Omagh Community Plan
Purpose of Plan	The Community Plan will be the strategic long-term plan for the new council area which will inform and guide delivery of services by all partners. The Local Development Plan for the area provides the spatial strategy for the Community Plan.
What Prompted the Plan (i.e. legislation, regulatory or administrative provision)	The Council has a legislative duty, under the Local Government Act (NI) 2014, to ' <i>initiate, maintain, facilitate, and participate in community planning</i> '. Community planning partners must participate and assist the Council in discharge of its duties in relation to community planning.
Subject	Community Planning
Period covered by Plan	10-15 years with a review of performance against outcomes published every 2 years and a review of the plan every 4 years.
Area Covered by the Plan	Fermanagh and Omagh District Council area (map attached at appendix 1)
Summary of nature / content of Community Plan	The Community Plan and associated supporting documentation will set out the long term vision and objectives for the social, economic and environmental well-being of the area. This will include: <ul style="list-style-type: none"> • Development of a baseline of e

		<p>the existing conditions in the area</p> <ul style="list-style-type: none"> • An integrated view of the social, economic and environmental needs of the area in the context of regional, national and European policies and strategies and taking account of communities and issues that extend into neighbouring council areas and jurisdictions; • Long term vision for the area; • Long term outcomes against which progress can be monitored and evaluated; • A focus on delivering in the short to medium term to achieve the long term vision • Governance Structure and delivery arrangements.
Are there any proposed Plan objectives?		Yes – under development
Are objectives attached		No
Criteria for determination of the likely significance of effects on the environment	Likely to have significant environmental effects YES/NO	Summary of significant environmental effects (negative and positive)
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;	Yes	<p>The Community Plan is the long-term strategic planning framework for the Fermanagh and Omagh area affecting the Council and its partners as outlined in the Local Government (Northern Ireland) Act 2014; the draft Local Government (Community Planning Partners order) 2014 and associated guidance. It will provide strategic and policy direction for the delivery of services by all of its partners.</p> <p>Its key principles and purpose will be</p>

to determine:

1. A shared vision for the Fermanagh and Omagh geographic area.
2. To develop shared outcomes and cross cutting principles.
3. Detailed action plans for performance against outcomes.
4. A vehicle for partnership working and cross boundary collaboration in delivering services.
5. A coordinated approach and a shared commitment to citizen participation.
6. A sustainable approach to improving services and wellbeing of all its citizens in relation to social, economic and environmental factors.

(b) the degree to which the plan or programme influences other plans and programmes including those in a hierarchy;

Yes

The Community Plan will be the influential and strategic plan governing the Fermanagh and Omagh geographic area. It will inform all other partner agency plans who are legally obliged to align plans and strategies to 'take account' of the Community Plan. The *Local Government (Northern Ireland) Act 2014* and the amendments to the *Planning Act (NI) 2011* provide a statutory link between the Community Plan and Local Development Plan. The Strategic Planning Policy Statement for Sustainable Development 2014 clearly states that Councils '*must take account of the Community Plan when preparing a Local Development Plan*'.

Other plans including the Economic Development Strategy, Tourism Strategy, Local Bio-diversity Action Plan and Rural Development Strategy will become implementation plans for the delivery against the

		social, economic and environmental well-being outcomes and to contribute to the achievement of sustainable development. These will be defined by the outcomes in the Community plan.
(c) the relevance of the plan or programme for the integration of environmental considerations in particular with a view to promoting sustainable development;	Yes	The <i>Local Government Act (NI) 2014</i> states that community planning will ' <i>identify long-term objectives in relation to the district for contributing to the achievement of sustainable development in NI</i> '. Community Planning Guidance (section 8 page 22) states that the Community Planning Partnership ' <i>should set out sustainable development and integration of social, economic and environmental priorities as a key principle of their community plans and should have regard to the Executive's sustainable development strategy in development of their Community Plan</i> '.
(d) environmental problems relevant to the plan or programme; and	Yes	The Community Plan will identify key priorities and outcomes in relation to the environmental well-being of the area. A range of actions to address these priorities and outcomes will be taken forward with a view to making a positive impact in relation to the environment and to meet specific performance measures to be identified in the Community Plan.
(e) the relevance of the plan or programme for the implementation of Community legislation on the environment (e.g. plans and programmes linked to waste management or water protection).	No	The Community Plan is the long-term strategic planning framework for the Fermanagh and Omagh area affecting the Council and its partners as outlined in <i>the Local Government (Northern Ireland) Act 2014; the draft Local Government (Community Planning Partners order) 2014 and associated guidance</i> . It will provide strategic and policy direction for the delivery of services by all of its partners. It is expected that all partners will take account of community planning outcomes in

		terms of their own corporate and business planning processes. However, legislative functions and responsibilities of each of the partners' will remain the duty of the designated body.
2. Characteristics of the effects and of the area likely to be affected, having regard, in particular, to –	Likely to have significant environmental effects YES/NO	Summary of significant environmental effects (negative and positive)
a) the probability, duration, frequency and reversibility of the effects;	Yes	The Community Plan will set the overall strategic and policy direction on issues relating to the environment which will be implemented utilising action plans and associated strategies where applicable. It is likely that associated strategies and plans will have been informed by the Community Plan or will help implement the aims and actions of the Community Plan and could have permanent and irreversible effects. These include, for example, decisions linked to the Local Development Plan such as housing development, road infrastructure and renewables.
(b) the cumulative nature of the effects;	Yes	The Community Plan will be a collaborative document which is informed by a wide and diverse range of statutory and support partners as outlined in the <i>draft Local Government (Community Planning Partners Order) 2014</i> . The collation of data and evidence across boundaries in relation to social, economic and environmental well-being and development of associated long-term outcomes and actions allows for significant cumulative impact. It will create a platform to develop real synergy across many service areas.
(c) the trans boundary nature of the effects;	Yes	The Fermanagh and Omagh District Council area has a significant border with the Republic of Ireland and there will be a need for discussion

		and engagement with neighbouring Councils to consider potential implications.
(d) the risks to human health or the environment (e.g. due to accidents	No	The overall purpose of the Community Plan is to improve health and well-being across social, economic and environmental issues for all the citizens that live, work or visit the Fermanagh and Omagh area.
(e) the magnitude and spatial extent of the effects (geographical area and size of the population likely to be affected);	Yes	The Fermanagh and Omagh area is home to 114,992 people, 7,340 businesses and there are 38,500 jobs in the region. The Fermanagh and Omagh District Council area is Northern Ireland's largest region in terms of land mass – approximately 3,000km ² , or 20% of Northern Ireland – and the smallest in terms of population. As a result, the population density of 41 people per km ² is the sparsest in NI.
(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	The Community Plan, through the implementation of the Local Development Plan and detailed Action Plans, is likely to have a significant environmental effect on our natural and built heritage.
(g) the effects on areas or landscapes which have a recognised national, Community or international Protection status.	Yes	The Community Plan and through the Local Development Plan, is likely to have significant environmental impacts on the whole of Fermanagh and Omagh area. The area includes one AONB; 12 national nature reserves; 1 local nature reserve; 8 RAMSAR sites; 20 special areas of conservation; 3 special protected areas; 133 ASSIs; and a number of priority habitats.

Summary of Screening Report and the significant environmental effects of Fermanagh and Omagh Community plan.

The Fermanagh and Omagh Community Plan will be the long-term strategic planning document providing the overarching policy and strategic framework for the delivery of services by all statutory and support partners.

A range of outcomes will be identified and action plans will be implemented to ensure delivery of the outcomes and vision identified in the Community Plan. The Plan and associated action plans will be implemented in accordance with the principles of sustainable development and in aiming to improve social, economic and environmental well-being within the district.

Following careful review and consideration it is recognised that the Community Plan does require an SEA because it falls under the scope of Section 5(1) and is likely to have significant environmental effects.

However, these likely significant environmental impacts cannot be discerned at this stage and will need to be identified and assessed as the Community Plan itself progresses through the assistance of the SEA process.

END..../