

SCREENING REPORT

STEP 1 – DETAILS OF THE PLAN

Responsible Authority:

Scottish Borders Council (SBC)

Title of the plan:

Local Flood Risk Management Plan (LFRMP), Tweed Local Plan District (LPD13)

What prompted the plan:

(e.g. a legislative, regulatory or administrative provision)

The Flood Risk Management (Scotland) Act 2009 introduced a new approach to managing flood risk by considering whole catchments, across all sources of flooding (Fluvial, Pluvial, Coastal and Groundwater). It also placed a number of duties on organisations responsible for managing flood risk in Scotland. The first flood risk management cycle 2016 - 2022 is now concluding and development of the second flood risk management cycle 2022 – 2028 is now underway.

The process for determining and managing flood risk falls into two parts with development of these taken forward by SEPA and Local Authorities.

1. Flood Risk Management Plans (FRM Plans) developed by SEPA.
2. Local Flood risk Management Plans (LFRMP) developed by Local Authorities.

The LFRMP will take the actions set by SEPA in the FRM Plan and describe how, when and by whom actions will be delivered in the second 6 year planning cycle 2022 – 2028.

It is on this basis that I have determined the LFRMP fall under Section 5(3)(b) of the Environmental Assessment (Scotland) Act 2005

Plan subject:

(e.g. transport)

Water Management

Screening is required by the Environmental Assessment (Scotland) Act 2005.

Based on Boxes 3 and 4, our view is that:

An SEA is required, as the environmental effects are likely to be significant: Please indicate below what Section of the 2005 Act this plan falls within

Section 5(3)

Section 5(4)

An SEA is not required, as the environmental effects are unlikely to be significant: Please indicate below what Section of the 2005 Act this plan falls within

Section 5(3)

Section 5(4)

Contact details:

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Date:

02/11/2021

STEP 2 – CONTEXT AND DESCRIPTION OF THE PLAN

Context of the Plan:

As part of the implementation of the Flood Risk Management (Scotland) Act 2009, Scotland was separated into 14 Local Plan Districts (LPD) based on river catchments. Scottish Borders Council is the Lead Local Authority for the Tweed LPD (No.13).

The first flood risk management cycle 2016 – 2022 and associated Flood Risk Management Plans and Local Flood Risk Management Plans are now nearing completion. Development and Consultation on the proposals to be taken forward in the 2nd Flood Risk Management Cycle 2022 – 2028 have now began.

SEPA updated the National Flood Risk Assessment in 2018, this updated the specific areas of flood risk, known as Potentially Vulnerable Areas (PVAs) using the most up to date information available. This also led to the creation of Object Target Areas (OTA's) within the PVA's which highlighted specific areas of flood risk within PVA's. The collaborative approach between SEPA, Local Authorities and Scottish Water continues with SEPA developing the Flood Risk Management Plans (FRM Plans) for each LPD which identifies the main hazards and impacts in the PVAs & OTA's, describes the objectives for reducing the flood risk and actions to meet those objectives.

The Lead Local Authorities will develop the Local Flood Risk Management Plans (LFRMPs) for each LPD. The LFRMPs are based on information contained in the FRM Plans prepared by SEPA. The objectives and actions set in the FRM Plans describe how these actions are to be delivered in the second 6 year planning cycle (2022 – 2028). The LFRMP will determine who will deliver these actions and in what timescale.

SEPA has already taken the FRM Plans through the SEA process (screening, scoping, environmental reporting). These have since been consulted on and a Post Adoption Statement written to consider the consultation responses.

Description of the Plan:

The LFRMP for the Tweed Local Plan District (LPD13) will take the objectives and actions set in the Tweed FRM Plan developed by SEPA and determine how these are to be delivered in the second 6 year planning cycle 2022 - 2028.

A range of actions are covered in the LFRMP which are either ongoing or new actions to manage flood risk. These include proposals for undertaking flood studies and the continuation of projects currently in progress to implement Flood Protection Schemes in the Tweed LPD area.

For the Tweed LPD there will be no additional actions within the LFRMP that have not been determined as part of the FRM Plan developed by SEPA. SBC believes that the level and detail of assessment undertaken by SEPA in the SEA for the FRM Strategy is sufficient to address the LFRMP.

<p>What are the key components of the plan?</p>	<p>Drafting of the LFRMP for the Tweed LPD by SBC is about to begin. A draft of the final version of the LFRMP will be submitted to the responsible authorities for comment and to achieve the necessary approvals prior to the publication of the plan in June 2022.</p> <p>The LFRMP plan will follow the template submitted to Lead Local Authorities for the production of the plans in order to achieve a form of consistency across the 14 LFRMP being developed across Scotland.</p> <p>SBC envisage that the LFRMP will replicate the bulk of the detail in the FRM Plan but provide further detail on how the actions will be delivered across the PVAs/OTAs, which make up the LPD. The detail will mainly be centred on who delivers the action, how it is to be delivered and how it is to be funded.</p> <p>The LFRMP for the Tweed LPD set out a number of actions that were LPD wide as well as actions specific to individual PVAs/OTA's. LPD wide actions included non-structural recommendations like Land use Planning, Self Help/Awareness raising, Emergency Planning and Flood Warnings. PVA specific actions included Flood Studies & Flood Protection Schemes, three of which are currently at preferred scheme stage.</p> <p>In addition to the above actions there are also a number of surface water management plans to be developed within a number of PVAs. SBC will be responsible for the development of these with a view to adding to the surface water flooding knowledge already gained from Surface Water Management Plans completed in the first FRM Cycle.</p> <p>The above reflects what is recommended in the FRM Plan and no additional actions will be considered in the LFRMP.</p>
<p>Have any of the components of the plan been considered in previous SEA work?</p>	<p>The majority of the information contained in the Tweed LFRMP is a direct output from the information developed in the Tweed FRM Plan. This information has been subject to the screening, scoping and reporting done as part of the SEA for SEPA's FRM Strategies and the subsequent Post Adoption Statement developed after the consultation.</p> <p>The Tweed LFRMP will not contain any additional actions, which have not been assessed through the SEA for the Tweed FRM Plan.</p>
<p>In terms of your response to Boxes 7 and 8 above, set out those components of the plan that are likely to require screening:</p>	<p>As we anticipate the LFRMP to replicate and deliver the actions detailed in the FRM Plan, we do not feel that an additional SEA will be required.</p> <p>There are a number of Flood Studies and Surface Water Management Studies proposed for the Tweed LPD which will be programmed across the second flood risk management cycle 2022 – 2028. However as these are studies and predominantly desk based exercises we do not anticipate the timing of these to have any environmental impacts.</p> <p>There are three Flood Protection Schemes highlighted for delivery under the LFRMP 2022 - 2028. (Newcastleton, Peebles, Hawick (Silitrig). These are at the preferred scheme stage with the projects now on hold and outline design is yet</p>

to commence. An Environmental Impact Assessment (EIA) will be carried out for each of these should these proceed to project delivery during the second flood risk management cycle 2022 -2028.

**STEP 3 – IDENTIFYING INTERACTIONS OF THE PLAN WITH THE ENVIRONMENT AND
CONSIDERING THE LIKELY SIGNIFICANCE OF ANY INTERACTIONS (Error! Reference source not found.)**

Plan Components	Environmental Topic Areas										Explanation of Potential Environmental Effects	Explanation of Significance
	Biodiversity, flora and fauna	Population and human health	Soil	Water	Air	Climatic factors	Material assets	Cultural heritage	Landscape	Inter-relationship		
Flood Studies	✗	✗	✗	✗	✗	✗	✗	✗	✗	✗		No significant environmental effect due to the desk based nature of these studies.
NFM Studies	✗	✗	✗	✗	✗	✗	✗	✗	✗	✗		No significant environmental effect due to the desk based nature of these studies.
Surface Water Management Studies	✗	✗	✗	✗	✗	✗	✗	✗	✗	✗		No significant environmental effect due to the desk based nature of these studies.
Flood Protection Schemes	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓		There is the potential for the schemes to have significant environmental effects. Each scheme will be subject to its own EIA should these progress to outline design with a view to delivery between 2022 – 2028.

STEP 4 – STATEMENT OF THE FINDINGS OF THE SCREENING

Summary of interactions with the environment and statement of the findings of the Screening:
(Including an outline of the likely significance of any interactions, positive or negative, and explanation of conclusion of the screening exercise.)

As stated previously we do not believe there to be significant negative effects resulting from carrying out Flood Studies and Surface Water Management Studies due to these primarily being non-intrusive, non-structural desk based actions. The timing of these actions being delivered will also have no negative effects on the environment. It is worth noting that significant environmental effects of NFM and flood protection actions (that could arise from the studies in future planning cycles) have been assessed in the SEA for the FRM Plan.

The studies that will be undertaken as part of the LFRMP will address any environmental effects through appropriate and relevant stakeholder engagement on any proposals arising from that study. The proposed flood protection schemes have the potential to have a negative effect on the environment. Each scheme will undertake the appropriate screening and scoping as required through the Environmental Impact Assessment process should these projects progress to the design phase.

It is the view of SBC that there will be no significant changes within the LFRMP from the FRM Plan developed by SEPA. We therefore envisage that there is no requirement for Scoping or Environmental Reporting to be undertaken through the SEA process.

When completed send to: SEA.gateway@scotland.gsi.gov.uk or to the SEA Gateway, Scottish Government, Area 2H (South), Victoria Quay, Edinburgh, EH6 6QQ.

