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1.0 Introduction

The European Union Strategic Environmental Assessment (SEA) Directive (2001/42/EC)¹ requires an environmental assessment be carried out for certain plans and programmes including the proposed Local Economic and Community Plan² for Tipperary County Council. The following Regulations transposed this Directive into Irish law:

- The European Communities (Environmental Assessment of Certain Plans and Programmes) Regulations 2004 (S.I. 435 of 2004),
- The Planning and Development (Strategic Environmental Assessment) Regulations 2004 (S.I. 436 of 2004) and further amended by:
- S.I. No. 200 of 2011 (European Communities (Environmental Assessment of Certain Plans and Programmes) (Amendment) Regulations 2011) and S.I. No. 201 of 2011 (Planning and Development (Strategic Environmental Assessment) (Amendment) Regulations 2011).

The Planning and Development (Strategic Environmental Assessment) Regulations, 2004 (as amended) state that SEA is mandatory for certain plans while screening for SEA is required for other plans that fall below the specified thresholds. Where plans fall below or outside of the specified thresholds a screening report is required to be carried out to determine whether the making and implementation of a particular plan will or will not, lead to significant environmental consequences for the Plan.

The purpose of report is to undertake a screening assessment to consider whether the LECP will require a Strategic Environment Assessment. This Screening Assessment is set out in Section 3 of the report.

1.1 BACKGROUND TO THE LECP

The Local Government Reform Act 2014³ provides a stronger and clearer role for local government in economic development and community development. This is key element in achieving the vision set out in the Action Programme for Effective Local Government, Putting People First (DECLG, 2012) which states that 'local government will be the main vehicle of

³ Hereafter the Act

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¹ Hereafter the SEA Directive

² Hereafter the LECP

governance and public service at local level, leading economic, social and community development⁴.

The LECP is prepared in accordance Section 44 of the Local Government Reform Act 2014 and consists of two elements: A local economic element (prepared and adopted by the local authority) and a community development element (prepared and adopted by the Local Community Development Committee (LCDC) in place of the City and County Development Boards).

The purpose of the LECP is to identify objectives and implement actions to strengthen and develop the economic and community dimensions of County Tipperary over a six year period. In this regard, the delivery of objectives and/or actions may be through partnership with economic and community stakeholders, via the programmes of other stakeholders as well as Tipperary County Council.

1.2 LECP – LEGISLATIVE CONTEXT

The requirements of the scope and context of the LECP are set out in detail under Section 66B of the Act. A summary of the key requirements are set out in Table 1.1 below.

Table 1.1: Legislative Requirements of LECP

s. 66B (1)

Each Local Authority shall make, a 6 year local economic plan for

- (a) the promotion of economic development in its functional area, and
- (b) the promotion of local and community development in its functional area.
- s.66B (2): Promotion of Economic Development includes, but is not limited to:
- (a) Creating and sustaining jobs,
- (b) Promoting the interests of the community, incl:
- (i) enterprise and economic development across economic sectors,
- (ii) foreign direct investment,
- (iii) indigenous industry,
- (iv) micro-enterprises and small and

- s.66B (3): Promotion of Local and Community Development includes, but is not limited to:
- (a) promoting and supporting the interests of local communities, or any part of a community or group within a local community, including measures to enhance quality of life and well-being of communities and measures aimed at:
- (i) tackling poverty, disadvantage and social exclusion through support for basic

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⁴.Page 1 Action Programme for Effective Local Government, Putting People First (DECLG October 2012)

medium sized enterprises,

- (v) tourism, and
- (vi) agriculture, forestry and the marine sectors, and other natural resource sectors,
- (c) identifying local attributes essential to:
- (i) enhancing local economic performance, eg. quality of the environment, qualities of cities, towns and rural

areas, including;

- (I) accessibility, physical character, and infrastructure,
- (II) employment opportunities and quality of life,

Enhancement of competitiveness, investment decisions relating to economic infrastructure (including transportation, water services, energy, communications and waste mgmt), with social and cultural facilities, and

- (ii) promoting local economic activities,
- (d) supporting enhancement of local innovation capacity, including investment in research and development capacity, technology transfer, up-skilling and reskilling,
- (e) identifying, for existing and prospective businesses, opportunities to engage with local government on relevant matters in setting up and managing their businesses and to ensure speedy and coordinated access and response,
- (f) identifying local strengths,opportunities, weaknesses anddeficiencies relevant to economic

services and other initiatives,

- (ii) supporting training and up-skilling, creating and sustaining employment and self-employment opportunities, and investing in local development through community-focused supports and services, and
- (iii) the provision of infrastructure and community facilities and investment in physical regeneration and environmental improvements,
- (b) supporting the capacity of local communities to improve their quality of life,
- (c) supporting social enterprise, social capital, volunteering and active citizenship,
- (d) developing integrated and evidencedbased approaches to local service planning and delivery,
- (e) identifying the needs and priorities of local communities to enhance their well-being, and developing sustainable solutions that make the best use of local assets, strengths and opportunities to address those needs and priorities,
- (f) exploiting and co-ordinating funding sources from the public, private and community and voluntary sectors to stimulate and support local development and sustainability, and
- (g) promoting, supporting and facilitating community involvement in policy development and decision-making processes related to the planning, development and delivery of services.

performance and—

- (i) in relation to such strengths and opportunities having regard to economic and employment trends, the means of maintaining and augmenting them, and
- (ii) in relation to such weaknesses and deficiencies, the means of addressing or rectifying them, and
- (g) identifying economic potential and the requirements to realise it.

2.0 POLICY CONTEXT

2.1 LOCAL GOVERNMENT REFORM

The Act made legal provision for the reforms set out in the *Government's Action Programme* for Effective Local Government, Putting People First (Oct, 2012) and provides for significant changes in local government structures, including as follows:

- The dissolution of eight regional authorities and the establishment of three regional assemblies;
- The amalgamation of North and South Tipperary Councils, the dissolution of the Town Councils and the establishment of municipal districts.

Tipperary County Council was established on the 1st June, 2014 and along with eight other counties, forms part of the new Southern Region.

Section 63 of the Act, which amended the Planning and Development Act, 2000 requires the Regional Assemblies to prepare new Regional Spatial and Economic Strategies. However, until such time as these new regional strategies are prepared and adopted by the Regional Assemblies the LECP must be consistent, in the first instance, with the existing Regional Planning Guidelines.⁵. Therefore, County Tipperary's LECP must demonstrate consistency with the Mid-West Regional Guidelines, 2010-2016 and the South-East Regional Planning Guidelines, 2010-2016.

2.2 THE LECP AND THE NORTH AND SOUTH TIPPERARY COUNTY DEVELOPMENT PLANS

The LECP does not sit directly within the hierarchy of spatial planning policy but rather sits as an entity considerate of the spatial framework endorsed by the County Development Plan

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 $^{^{\}rm 5}$ DECLG: Circular LG1/2015;AL 1/2015 – Local Economic and Community Plans 21 $^{\rm st}$ January, 2015

and as a strategy in its own right, the LECP 'must be consistent with the core strategy and the objectives of the development plan'6

Tipperary County Council has at present two county development plans, namely; the North Tipperary County Development Plan 2010 and South Tipperary Development Plan, 2010⁷. The Development Plans provide a framework for strategic land use planning framework while also addressing wider social, economic and environmental trends.

The North and South Tipperary Development Plans were subject to Strategic Environmental Assessment, which assessed all policies and objectives to establish if they 'are likely to have significant environmental effects'. This process provided for the inclusion and integration of relevant and important environmental considerations in order to promote and encourage sustainable development.

3.0 SEA SCREENING

3.1 Introduction

'Screening' is a process for deciding whether a particular plan, other than those for which SEA is mandatory, would be likely to have significant environmental effects, and would warrant SEA⁸.

The criteria for determining whether a particular plan is likely to have significant environmental impacts, regard must be made to the criteria set out in Annex II of the SEA Directive. These criteria are reproduced in Schedule 2A of the Planning and Development Regulations 2001, as inserted by Article 12 of the Planning and Development (Strategic Environmental Assessment) Regulations, 2004.

Schedule 2A of the Planning and Development Regulations 2001 set out two main criteria for determining whether a plan would be likely to have significant environmental effects:

- Characteristics of a Plan;
- Characteristics of the effects and of the area likely to be affected.

The LECP for Tipperary has not been fully developed at this stage. Therefore baseline data, existing statutory plans relevant to the plan area together with the *Guidance on Local Economic and Community Plans* (2015) issued by the Minister for the Environment,

⁶ DECLG: Circular LG1/2015;AL 1/2015 – Local Economic and Community Plans 21st January, 2015

⁷ Extended (pursuant to the provisions of the Electoral, Local Government and Planning and Development Act 2013)

⁸ Implementation of the SEA Directive (2001/42/EC): Assessment of the Effect of Certain Plans and

Programmes on the Environment – Guidelines for Regional Authorities and Planning Authorities (DECLG, 2004)

Community and Local Government, have been relied upon to inform if the LECP would be likely to have significant effects on the environment.

Section 3.2 and Section 3.3 below presents the SEA Screening assessment by assessing the available information in relation to the proposed LECP against the criteria provided in Schedule 2a of the Planning and Development (Strategic Environmental Assessment) Regulations 2001-2011.

3.2 THE CHARACTERISTICS OF THE PLAN

Table 1.2 below provides an assessment as to whether, having regard to the characteristics of the plan, the proposed LECP for County Tipperary is likely to have significant impacts on the environment.

Table 1.2: SEA Screening Assessment: Characteristics of the LECP

The characteristics of the LECP having regard, in particular, to:

(a) The degree to which the LECP sets a framework for projects and other activities, either with regard to the location, nature, size and operating conditions or by allocating resources

The LECP aims to provide a framework for the future economic development and local community development of County Tipperary over a six year period. It must set high level goals for the integrated plan of the County, supported by specific objectives. Each objective will be achieved through the implementation of specific, time-bound and measureable actions to promote and support this development at local level.

Tipperary has established economic and local/community development sectors across the county. These vary in nature, size and operating conditions and it is envisaged that the objectives as part of the LECP will identify and further strengthen these areas by creating a coherent framework for projects and activities across the county.

The LECP is required to complement and demonstrate consistency with existing statutory policies including the Mid-West Regional Planning Guidelines, 2010-2016, the South East Regional Planning Guidelines, 2010-2016, the North Tipperary County Development Plan, 2010-2016 and the South Tipperary County Development Plan 2010-2016. These plans have been have subject to Strategic Environmental Assessment and Habitats Directive Assessment.

To ensure consistency and in recognition of the SEA process previously undertaken, the LECP will at all times refer and direct towards the Development Plans, with particular regard to

the any matter relating to development location and land uses. The LECP will be further be consistent with Core Strategies which provide the framework for the future population growth of the County.

The LECP will complement the planning policy framework and will be consistent with the provision of the relevant county development plans and planning guidelines.

(b) The degree to which the LECP influences other plans, including those in a hierarchy

The LECP represents a statutory, participatory local level plan which must be consistent in the first instance with the Mid-West and South-East Regional Planning Guidelines 2010-2022 (RPGs). The LECP will be reviewed as necessary in order to ensure consistency with a new National Planning Framework which, it is envisaged once developed, will replace the National Spatial Strategy as well as the Regional Spatial and Economic Strategies (RSESs) which are intended to replace the current RPGs. The LECP must also be consistent with the County Development Plans.

In addition the LECP will have regard to the Regional Action Plan for Jobs, Regional Energy Strategies and Community Plans and other strategies (a full list is attached at Appendix 1)

An important part of the rationale for enhanced local government role in economic development is to forge a stronger link between spatial planning and economic development. Therefore, the LECP will extend and compliment plans from a local level right up to national level and across economic and social planning.

(c) The relevance of the LECP in the integration of environmental considerations in particular with a view to promoting sustainable development

The North and South Tipperary County Development Plans were subject to SEA. This process allowed for the consideration of the environmental implications of implementing this plans. The integration of SEA assessment led, in response, to a variety of environmental protection policies and objectives which were incorporated within the plans. The LECP will be consistent with the policies and objectives of the North and South Tipperary Development Plans.

Further, the integration of sustainable development considerations into the actions of the LECP and subsequent implementation will be an important component in developing, supporting and maintaining vibrant communities.

(d)Environmental problems relevant to the proposed LECP

The environmental report conducted as part of the SEA process in respect of the North and South Tipperary County Development Plans, discussed various issues of concern in the plan

area and provided various mitigating measures to decrease impacts considered to be severe or significant.

As stated above the LECP must ensure consistency with the County Development Plans which sets out the framework for development and land use. It should be noted that both County Development Plans set out economic strategies (Chapter 6 North Tipperary County Development Plan and Chapter 5 of the South Tipperary County Development Plan) and addresses Community, Social and Cultural development (Chapters 5 and 8 North Tipperary County Development Plan and Chapters 6 and 8 of the South Tipperary County Development Plan). These Chapters provide a framework for actions that will be brought forward under the LECP.

The LECP will be consistent with the policies or objectives of the Development Plan. Accordingly, the Development Plan provides a framework under which the LECP will be developed and, the policies and objectives seeking to protect and conserve environmental sensitive areas will not be altered or affected by the LECP.

(e) The relevance of the LECP in the implementation of European Union legislation on the environment (e.g. plans linked to waste-management or water protection).

The LECP must be consistent with existing national and regional policy documents which includes policies relating to environmental protection, water supply, water quality, ground water, waste management, landscape and cultural heritage in compliance with EU legislation. These include the following EU Directives:

Water Framework Directive (Directive 2000/60/EC)

Groundwater Directive (Directive 2006/118/EC),

Habitats Directive (Directive 92/43/EEC),

Birds Directive (Directive 79/409/EEC,)

and Flood Directive (Directive 2000/60/EC)

3.3 THE CHARACTERISTICS OF THE EFFECTS AND OF THE AREA LIKELY TO BE AFFECTED.

Table 1.3 below provides an assessment as to whether, having regard to the characteristics of the effect and of the area likely to be affected that the proposed LECP for County Tipperary is likely to have significant impacts on the environment.

Table 1.3: SEA Screening Assessment: Characteristics of the effects and of the area likely to be affected

(a) The probability, duration, frequency and reversibility of the effects

The LECP is for a six year period, and as stated above must be compliant and consistent with the statutory planning framework. Therefore it is considered that effects arising from the LECP will be addressed under the existing statutory planning framework and probability, duration, frequency and reversibility of the effects are not assessed as being significant.

(b) The cumulative nature of the effects

There are two key aspects to the LECP which are to:

- (a) promote economic development and
- (b) promote local and community development.

The LECP in the interest of consistency will promote both of these within the framework and the policies and objectives set out by the Development Plans.

Ultimately the cumulative effects of the LECP will be positive in terms of generating economic activity and required community development in County Tipperary. Once the environmental protection measures within the County Development Plan are followed, adhered to and implemented, it is predicted that the LECP will not compromise the quality of the receiving environment.

(c) The trans-boundary nature of the effects

The LECP will be consistent with National and Regional strategies and guidelines and will be subject to environmental protection policies set out and objectives contained in the adopted County Development Plans.

Therefore, no negative trans-boundary environmental effects are predicted.

(d) The risks to human health or the environment (e.g. due to accidents)

The Seveso II Directive 96/82/EC is an EU Directive to prevent major accidents involving dangerous substances and to limit the consequences of such accidents for human beings and the environment. At present there is one registered Seveso Site in Tipperary, MSD Ireland (Ballydine) Ballydine, Kilsheelan, Clonmel, to which the Directive applies. In this regard the South Tipperary County Development Plan 2009-2015 contains the following policy in respect of proposals in proximity to SEVESO sites:

Policy ECON 15: Prevention of Major Accidents:

The Council, in assessing applications for new development, expansion of existing development involving hazardous substances, or other proposed developments located within designated consultation areas, will have regard to: (i) The Major Accidents Directive (Seveso II); (ii) Potential adverse impacts on public health and safety; (iii) The requirements of the Health and Safety Authority (HSA) (iv) The need to maintain appropriate safe distances between residential areas, areas of public use and areas of particular natural sensitivity.

The LECP will be consistent with Policy ECON15 of the South Tipperary County Development Plan 2009-2015 and will therefore not result in any risks to human health.

(e) The magnitude and spatial extent of the effects (geographical area and size of the population likely to be affected)

The County has a total population of 158,652 (CSO Census 2011) and geographical area of 4,305sq km.

The Core Strategies of the North and South Tipperary County Development Plans, provide a framework for the spatial development of land uses. These strategies include settlement hierarchies whereby lands have been zoned to accommodate sustainable growth in line with national and regional population targets.

The LECP will be consistent with the core strategies of the Development Plans and in this regard will not result in environmental impacts by virtue of magnitude or spatial effect of the strategy.

(f) The value and vulnerability of the area likely to be affected due to:

(i) Special natural characteristics or cultural heritage

County Tipperary contains a significant number of European protected sites, these include 21 Special Areas of Conservations (SACs) and 4 Special Protection Areas. In addition there are 12 Natural Heritage Areas (NHA's) protected under the Wildlife Protection Act 1976 (as amended).

County Tipperary has a long history of human settlement much of which was based around economic activity and community development. These can be seen through the historic buildings and structures present in the County along with its archaeological resources.

The Development Plans contain comprehensive objectives and policies to ensure the protection of the natural, built and cultural heritage. The LECP will not conflict with the policies

and objectives of the Development Plans.

(ii) Exceeded environmental quality standards or limit values

It is anticipated that environmental quality standards will not be exceeded by the LECP.

The LECP will be consistent and will comply with the Development Plan's environmental protection policies and objectives.

(iii) intensive land-use,

The majority of County Tipperary is rural in character and there are land use practices which could result in intensification of use and impacts on the environment such as agricultural practices, industry and one-off housing development. Again these are addressed through the statutory planning framework and not the LECP, therefore such effects are not identified.

(iv) The effects on areas or landscapes which have a recognised national, European Union or international protection status.

The North and South Tipperary Development Plans recognise the importance of sites with National and European designations and sets out policies and objectives for their protection. Therefore, it is not considered the implementation of the LECP will have significant negative effects on areas or landscapes which have recognised national, European Union or international protection status.

Development which may arise from the LECP will be subject to an appropriate project level environmental assessment and Habitats Directive Assessment (where necessary). This, along with the continued implementation of the County Development Plans environmental policies and objectives, will ensure that that development will not have an adverse impact on the receiving environment, including areas or landscapes which have recognised national, European Union or international protection status.

4.0 STATUTORY CONSULTATION

In accordance with Article 9(5) of the Regulations (S.I. No. 200 of 2011), the Council has consulted the specified environmental authorities. These comprise:

- The Environmental Protection Agency
- The Minister for the Environment, Community and Local Government
- Minister for Arts, Heritage and Gaeltacht Affairs
- Minister for Agriculture, Marine and Food
- Minister for Communications, Marine and Natural Resources

4.1 RESPONSES AND COMMENTS

Submissions were received from two agencies and these submissions are summarised below:

Authority	Response Received, Summary and Key Recommendations
Environmental	The submission notes the commitment to ensure that LECP
Protection Agency	is consistent with the Core Strategy and the objectives of the
	CDP. The submissions welcomes that the policies and
	objectives of the CDP in respect of the protect5ion and
	conservation of environmentally areas will be complied with
	in implementing the LECP.
	The submission indicates that it would be useful consider
	encouraging community level activities such as energy
	conservation, water conservation, river clean-ups, riparian
	zone protection measures and providing supporting measure
	for same to form a closer link between between social
	participation and involvement in and environmental
	protection at a local level.
	The submission references community related activities
	associated with implementation of EU LIFE Programmes
	such as IRD Duhallow and Burren LIFE as a type of
	approach to community buy-in towards the benefits of
	supporting sustainable communities and the environmental
	resources at a local level would be very beneficial.
	 It is suggested that it may be useful to consider taking
	account of Environmental Monitoring Programme of the
	CDP, so that the potential cumulative/in-combination effects
	can be reviewed.
Minister for	The submission is acknowledged and no comments are made in
Communications,	relation to the Strategic Environmental Assessment Screening
Marine and Natural	Statement.
Resources	
(Geological Division	

4.2 Consideration of the Environmental Authorities Submission

The Council welcomes the submission and recommendations of the Environmental Protection Agency and same is addressed below.

In relation to comments made on community involvement, engagement and supporting mechanisms to promote social participation and environmental protection at a local level. Community involvement in energy conservation will be considered under the Community & Social Inclusion Framework Priorities. TCC will be preparing a Heritage Strategy and a Tourism Destination & Experience Development Marketing Plan for the county later this year. It will be recommended that inclusion of measures such as water conservation, river clean-ups, riparian zone protection, measures which promote and encourage local ecotourism ventures, fishing/angling, bird watching, agri-tourism, supporting and encouraging citizen science activities such as local heritage mapping, supporting habitat restoration will be referred for consideration in the appropriate strategy/plan.

In relation to implementation of the EU Life Programmes, the Strategic Policy Unit of Tipperary County Council will be asked to consider these projects in conjunction with relevant bodies as appropriate.

In relation to the suggestion to consider relevant environmental topic in the SEA Environmental Monitoring Programme of the CDPs. The CDPs are concerned with physical development of the landscape, while the LECP is concerned with putting in place supportive structures and processes. The LECP must confirm with the CDPs and Regional Spatial and Economic Strategies and therefore monitoring undertaken at CDP level will impact and inform any requirement of the LECP, where this is appropriate and necessary.

5.0 DETERMINATION IN TERMS OF ARTICLE 9 (2)

The Council, in accordance with Article 9(2) of the SEA Regulations, and having considered the criteria set out Annex II of the Directive, is satisfied that the LECP will be unlikely to have a significant impact on the environment. This determination is made taking into consideration the following:

• The LECP will be implemented in accordance with the principles of sustainable development and with the commitment to the enhancement and protection of the environment. The LECP will be consistent with the strategic planning frameworks and policies and objectives of the North Tipperary Development Plan 2010-2016 and the South Tipperary Development Plan, 2009-2015, which have been subject to Strategic Environmental and Habitats Directive Assessment.

• The submissions received from the Environmental Authorities.

Having regard to the above, it is not considered necessary to prepare an Environmental Assessment of the LECP.

APPENDIX 1

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Action Plan for Jobs 2015

Action Plan for Jobs – Regional 2015

Food Harvest 2020

Making it Happen – Growing Enterprise for Ireland

Delivering our Green Potential – Government Policy statement on Growth and Employment in the Green Economy

Developing a Green Enterprise

Energising Irelands rural economy - CEDRA

Local Government Sectoral Strategy to promote Employment and Support Local Enterprise – Supporting Economic Recovery and Jobs – locally.

Supporting Enterprise, Local Development and Economic Growth

Cost of doing business in Ireland 2014

Evaluation of Enterprise Supports for Startups and Entrepreneurship

Irelands competitiveness Scorecard 2014

Construction 2020 – A Strategy for a renewed Construction sector

Harnessing our Ocean Wealth

Community aspect

OECD Report on Local Development

Our Sustainable Future: A Framework for Sustainable Development for Ireland (2012)

National Action Plan for Social Inclusion 2007-2016

Better outcomes, brighter futures - The National Policy Framework for Children and Young People 2014-2020

Energising Irelands rural economy – CEDRA

Further Education and Training Strategy 2014-2019

Corporate Social Responsibility Plan, Good for Business, Good for Community 2014-2016

Healthy Ireland – A Framework for Improved Heath and Well Being 2013-2015

National Strategy for Traveller/Roma Integration

Report on High Level Group on Traveller Issues 2006

20 Year Strategy for the Irish Language 2010-2030

Supporting Enterprise, Local Development and Economic Growth

National Reform Programme for Ireland	National Reform Programme for Ireland	
Social Housing Strategy 2020	National Action Plan for Social Inclusion	
Green Paper on Energy Policy in Ireland		
Regional Planning Guidelines		
Regional Operation Programmes 2014-2020		
Forfas Regional Competiveness Agendas		
County Development Plan		
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