

Appendix 1

Summary of Consultation Responses

CONSULTATION AUTHORITY COMMENTS – VIA SEA GATEWAY

It should be noted that these comments were received in 2007 prior to further revisions of the Draft Local Transport Strategy. There have been a number of changes to the structure and content of the LTS but also to planning policy and guidance that have been taken into account as part of the Strategy development and SEA process.

Historic Scotland Comments	LTS Team Response
<p>1.1 I found the Scoping Report to be helpful and, subject to the specific comments set out below and in the annex, I am content with the scope and level of detail proposed for the environmental assessment.</p>	<p>We welcome positive comments on the overall SEA Scoping and appreciate all of the feedback received. Comments will be taken into account throughout the drafting of the Strategy and the SEA.</p>
<p>1.2 My understanding from the Scoping Report is that the environmental assessment will set out assessment of the LTS's:</p> <ul style="list-style-type: none"> • vision; • objectives; and • themes and actions. 	<p>The Environmental report will assess all of the components of the LTS.</p>
<p>1.3 I consider that the historic environment should be scoped into the assessment. Simply for information, the “historic environment” is defined in Section 16(3) of the Public Appointments and Public Bodies etc. (Scotland) Act 2003 as “... any or all of the structures and places in Scotland of historical, archaeological or architectural interest or importance”.</p> <p>SHEP 1 (para 2.3)1 builds on this definition by identifying that the historic environment encompasses built heritage features (ancient monuments, archaeological sites and landscapes, historic buildings, townscapes, parks, gardens and designed landscapes, as well as marine heritage) and the context or setting in which they sit, and the patterns of past use, in landscapes and within the soil, and also in our towns, villages and streets. The historic environment also has less tangible aspects recognised as the historical, artistic, literary, linguistic and scenic associations of places and landscapes. The environmental assessment should take cognisance of these features, both in the collection of baseline data and in considering the likely impact of the LTS on the historic environment.</p>	<p>Noted.</p>
<p>1.4 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:</p>	<p>Noted.</p>

Historic Scotland Comments	LTS Team Response
<ul style="list-style-type: none"> • direct i.e. loss and/or damage to a feature of the historic environment; effects on setting • indirect e.g. through changes to surface drainage patterns, removal of peat; etc <p>I understand that the assessment will consider short, medium and long term effects, permanent and temporary effects. It should also consider secondary, cumulative and synergistic effects.</p>	
<p>2.1 I am content with the 8-week period proposed for consultation on the Environmental Report (Paragraph 3.4.1 of the Scoping Report). Please note that, for administrative purposes, Historic Scotland consider that the consultation period commences on receipt of the relevant documents by the SEA Secretariat.</p>	<p>Noted. Letter will go to Scottish Ministers</p>
<p>2.2 At the Environmental Report stage, I would prefer to receive paper copies of the report and the draft LTS, both of which should be sent via the Scottish Government Gateway in line with the procedures set out in the SEA Tool Kit.</p>	<p>Paper copies of the Draft SEA ER and the draft LTS will be sent to the SEA Gateway on completion.</p>
<p>4. I note that the following has been included under legislation:</p> <ul style="list-style-type: none"> • Ancient Monuments and Archaeological Areas Act 1979 • The Planning (Listed Buildings and Conservation Areas)(Scotland) Act 1997 <p>You may also wish to include The Protection of Wrecks Act 1973.</p>	<p>Noted and added.</p>
<p>5. Section 4.5 identifies policy relevant to the historic environment. I am content with the policy identified here, although you may wish to note the following:</p> <ul style="list-style-type: none"> • SHEP 3 has not yet been finalised. • NPPGs 5 and 18 are being revised and replaced by SPP23; a consultation draft is due to be released later in 2007. • The policy elements of Passed to the Future have been superseded by SHEP1. • SPP3 and NPPG14 are currently being revised. 	<p>Noted.</p>
<p>15.It appears that Section 6.2 of the Scoping Report identifies the number of cultural heritage features in the Moray region as an environmental problem. You may wish to revise this approach so that it is in line with that set out for some of the other environmental parameters e.g. water.</p>	<p>Noted.</p>
<p>16. As noted in Point 1.4 of the main letter, 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:</p>	<p>Noted and applied to the assessment of the LTS.</p>

Historic Scotland Comments	LTS Team Response
<ul style="list-style-type: none"> • direct i.e. loss and/or damage to a feature of the historic environment; effects on setting • indirect e.g. through changes to air quality and/or surface drainage patterns, • removal of peat; etc 	
<p>17. The potential for effects on setting should be considered for all listed buildings and scheduled ancient monuments (rather than only “particular sites”), as set out in NPPGs 5 and 18. These can also be affected by traffic calming measures, street signage and/or variable message signs.</p>	<p>Noted and applied to the assessment of the LTS.</p>
<p>18. Please note that issues of setting relate to the setting of the historic environment feature in question, rather than its wider landscape setting</p>	<p>Noted in relation to the definition of ‘setting’ in the context of historical environment.</p>
<p>20. I am content with the SEA objective for the historic environment: “protect, maintain and where appropriate, enhance the historic environment”.</p>	<p>Noted.</p>
<p>21. The indicators for the historic environment focus only on the potential for negative effects and therefore do not reflect the potential for positive effect identified in Section 6.3 of the Scoping Report.</p>	<p>Agree with comment. ER will focus on the positives as well as the negatives both in the ER assessment matrices but also in the section on environmental commitments.</p>
<p>22. I note your early conclusions regarding the compatibility of the LTS objectives with the SEA objectives. In the Environmental Report, you may wish to set out the assumptions underlying these conclusions. For example, without mitigation, any of these objectives which could result in land take has the potential to have an adverse effect on the historic environment.</p>	<p>Noted and applied to the assessment of the LTS.</p>
<p>25. I note the points made regarding the ‘do nothing’ scenario and am content. I suggest that you may wish to compare the results of this assessment to the results of the assessment of the proposed options (rather than using the approach set out in Section 7.3 of assessing the strategy options against the ‘do nothing’ scenario).</p>	<p>Noted and applied to the assessment of the LTS.</p>
<p>26. It is not clear from the Scoping Report whether the Environmental Report will include an assessment of alternatives or not. For the avoidance of doubt, the alternative ways of achieving the LTS objectives which were considered should be identified and assessed.</p>	<p>Noted and applied to the assessment of the LTS. Alternatives have been reviewed.</p>
<p>27. It is also not clear from the Scoping Report whether alternatives to projects will be assessed in the SEA. Where a preferred option for a project is identified in the LTS, a discussion of the project’s alternatives would need to be included in the Environmental Report to demonstrate that the environmental implications of the various options have been taken into account in the final decision that is being ratified in the LTS.</p>	<p>Noted.</p>
<p>30. It would be useful in the Environmental Report to describe any changes made to the</p>	<p>Noted.</p>

Historic Scotland Comments	LTS Team Response
LTS as a result of the environmental assessment, and to clearly set out any expectations/recommendations for lower-level plans or projects. It would also be helpful to identify who will be responsible for ensuring that the mitigation measures are taken forward as the LTS is implemented.	
31. I agree that monitoring should monitor the impacts identified in the environmental assessment and would be happy to discuss the identification of suitable indicators.	Noted.

SEPA Comments	LTS Team Response
The content of the Scoping Report provides adequate coverage of what will be required for the Environmental Report as outlined in Schedule 3 of the Act. Accordingly, SEPA is broadly content that the scope and level of detail intended for the Environmental Report is appropriate.	We welcome the feedback on the scoping and have found the comments helpful in the drafting of the strategy and SEA.
<p>Section 3.4 – The Environmental Report</p> <p>SEPA understands that none of the SEA environmental receptors will be scoped out of the assessment and that in addition Noise and Vibration will be considered. SEPA supports this proposal.</p> <p>In relation to human health the Responsible Authority's attention is drawn to the SEA Tool Kit which indicates that the advice offered by the Scottish Executive (now Scottish Government) states that the definition of health in the context of SEA should "be relevant and proportionate to the type of PPS being prepared; and be considered in the context of the other issues outlined in Schedule 3(6) of the Act, thereby focusing on environmentally-related health issues such as significant health effects arising from the quality of air, water or soil."</p> <p>SEPA is satisfied with the proposal for a consultation period of at 8 weeks outlined in section 3.4.1.</p>	<p>Confirm that none of the environmental receptors have been scoped out for the ER.</p> <p>Point noted and definition of HIA in SEA will be referred to throughout the assessment within the matrices and also in the mitigation and monitoring suggested.</p> <p>Proposed 8-week period agreed with Scottish Ministers.</p>
<p>The list of relevant plans and programmes looks comprehensive, however, the following should also be considered:</p> <ul style="list-style-type: none"> • North East Area Waste Plan; • The Noise Directive (2002/49/EC), especially since 'noise' has been identified as an issue in its own right; 	<p>These additional areas of legislation, plans and policy will be added to the environmental report and a review of plans, policy and legislation will be given in an Appendix to the environmental report.</p>

SEPA Comments	LTS Team Response
<ul style="list-style-type: none"> • The Air Quality Framework Directive (96/62/EC) and the relevant daughter Directives; • UN Framework Convention on Climate Change & its Kyoto Protocol; and • PAN61 Planning and Sustainable Urban Drainage. 	
<p>The Council may wish to consider whether the following SEPA policies, available on our website, are relevant to the strategy: Groundwater Protection Policy for Scotland (Policy 19) and Policy on the Culverting of Watercourses (Policy 26).</p>	<p>These policies are relevant and have been added to the ER as policy and best practice in terms of mitigation.</p>
<p>Some of the plans and programmes listed have been subject to SEA. Where this is the case, SEPA recommends that in the Environmental Report a summary of the key SEA findings that may be relevant to the Strategy are incorporated. These may assist you with data sources and environmental baseline information and also ensure you're your SEA picks up environmental issues or mitigation actions which may have been identified elsewhere.</p>	<p>Feedback on this point is welcomed. The LTS team have obtained copies of relevant SEA's and these have been reviewed as part of the assessment process. Cross-referencing has been added where appropriate e.g. to HITRANS/Moray Development Plan etc. Appropriate Assessments also obtained for Local and Structure Plan.</p>
<p>Section 5 – Moray Local Transport Strategy 2</p> <p>For the avoidance of doubt SEPA would expect all aspects of the LTS that are likely to have impact on the environment i.e. the overall vision, key objectives, themes and actions, to be assessed.</p>	<p>Point noted. Confirm that all components of the LTS will be assessed in relation to SEA Objectives.</p>
<p>Section 6.1 – Environmental Baseline</p> <p>In general the sources of information outlined in this section seem reasonable but would benefit from a consideration of the following:</p> <ul style="list-style-type: none"> • In relation to Geology, Geomorphology, Soils and Land Use consideration needs to be given to land contamination and the existence of brownfield land. Baseline information on this will be available in the form of the Councils own Contaminated Land Inspection Strategy and from the Contaminated Land team; • In relation to Water, baseline information is required on surface water quality and quantity; both for inland and coastal areas. Many of the environmental data that SEPA holds on water and other issues such as waste and air are now readily available on SEPA's website and a copy of our publications list is available from www.sepa.org.uk/access/index.htm. • Other local information may also be available from SEPA's Access to Information unit at Corporate Office (Telephone: 01786 457700). Please note that Moray Council already have a license to use the electronic version of the Indicative River and Coastal Map (Scotland). The Councils Development Control Department or Moray Flood Alleviation Group may be able to provide assistance with this matter. • Information on traffic flow figures for local roads would provide good baseline data in relation to air quality and climatic factors; and 	<p>SNIFFER SEA Guidance was used to inform the Environmental Report</p> <p>www.seaguidance.org.uk</p> <p>SNIFFER publication reviewed and used in the assessment of the climatic objective matrix and assisted in the development of mitigation/monitoring.</p>

SEPA Comments	LTS Team Response
<ul style="list-style-type: none"> In relation to climatic factors you may find that the SNIFFER publication “A handbook of climate trends across Scotland” can provide useful information (www.sniffer.org.uk). Baseline information on weather data, such as rainfall and average annual temperatures, climate change predictions for Scotland and extreme weather events data could also be included. 	
<p>Section 6.2 – Current Environmental Problems Facing Moray Region</p> <p>SEPA considers the outlined environmental problems facing Moray as reasonable. SEPA agrees that flood risk is a significant issue in the area and the impact of the high dependency of cars on air quality is appreciated.</p>	<p>Point noted.</p>
<p>Section 6.3 – Potential Environmental Impacts of the LTS</p> <p>SEPA welcomes the setting out of potential environmental impacts of the LTS at this early stage as it is SEPA’s experience that the assessment of effects in an ER can often be under-recorded or conservatively made.</p> <p>The assessments should follow the precautionary principle throughout; where significance is uncertain, more rather than less significance should be assumed for negative effects, and less rather than more significance should be assumed for positive effects. SEPA provides the following specific comments on the table provided:</p> <ul style="list-style-type: none"> Use of brownfield land could be considered as a positive impact in relation to the Geology, Geomorphology and Soils SEA topic; and The principle of flood avoidance, in line with Scottish Planning Policy 7, should be adhered to for any development proposals, rather than the provision of mitigation. For the avoidance of doubt SEPA would consider any proposals for development in an area identified as at risk from flooding as having a significant negative impact; Full details of the types of issues that should be considered in the assessment for each SEA environmental receptor can be found in Section 6.3.5 to 6.3.16 of the SEA Tool Kit. 	<p>Feedback welcomed and issue of under-estimation of impact will be addressed within description of assessment methodology as part of the environmental report.</p> <p>Point noted and positive impact considered where relevant in assessment and mitigation.</p> <p>Agree with comment on development within an area of flood risk and will ensure assessments take this into account when assessing specific Actions. SPP has been referred to in the assessment.</p> <p>Reference noted.</p>
<p>Section 7.1 – Table of SEA Objectives and Indicators</p> <p>In relation to the first sentence in this section please note that the purpose of SEA is to assess the reasonable alternatives that are being or were considered as part of the Strategy-making process. SEPA is supportive of the proposed SEA Objectives which are suitably positive.</p> <p>A series of questions, identified in the report as ‘indicators’, are then used to determine whether the Objectives are being achieved. SEPA is supportive of the proposals to include these questions which provide relatively straightforward answers to feed into the assessment process. The questions relating to geology and soil only considering protected</p>	<p>Alternatives have been assessed by the SEA Environmental Report.</p>

SEPA Comments	LTS Team Response
<p>sites; mention is made of use of brownfield sites so a question relating to this would be appropriate.</p> <p>Please note, however, that the questions identified do not all represent SEA indicators in the sense that they are usually referred to in SEA. Indicators are usually quantitative, rather than qualitative, and allow the performance of the Strategy to be measured. For example, in relation to the water SEA Objective and flood risk the indicator “number of Strategy proposals within the 1:200 year flood area”. Further advice on indicators is provided in section 10 of the SEA Tool Kit.</p>	<p>Point noted in relation to difference between questions and indicators in SEA.</p> <p>Performance indicators will be included in the monitoring framework suggested for the SEA and include quantitative information.</p>
<p>Sections 7.2 to 7.5 – Impact Assessment 5</p> <p>SEPA understands from the Scoping Report and discussions with the consultant that the Strategies Vision, Objectives and Actions will all be assessed using the same matrix approach, an example of which is provided in an appendix. SEPA is satisfied with the approach proposed but would wish to make it clear that enough descriptive information needs to be provided in the comments column to understand how each and every assessment was made. In relation to the range of proposed scoring mechanisms proposed the Responsible Authority are reminded that the Act identifies that SEA should identify the ‘likely significant effects on the environment’.</p>	<p>The SEA Assessment matrix and the inclusion of a comments box provides for a description of the assessment conclusions and how the impact assessment was concluded.</p>
<p>Section 8 – Potential Mitigation and Monitoring</p> <p>SEPA welcomes that consideration has already been given to mitigation and monitoring, especially the fact that it has been clearly identified that changes to the Strategy itself are probably the most important form of mitigation. SEPA considers that mitigation measures are a crucial part of SEA in that they offer an opportunity to not only address potential adverse effects of a Strategy, but also to make a Strategy even more positive than it already may be. It would be extremely helpful to set out all mitigation measures in a way that clearly identified: (1) the measures required, (2) when they would be required and (3) who will be required to implement them. A summary table could be included as part of the preparation of the Environmental Report.</p>	<p>Feedback welcomed.</p> <p>Mitigation has been fully considered at both a general SEA and specific Action level. A section on Environmental Commitments has also been included to establish the environmental enhancement that should be employed as part of the LTS implementation.</p> <p>A table as suggested by SEPA has been included for discussion.</p> <p>Monitoring has also similarly been detailed for further discussion with CA’s.</p>

SNH Comments	LTS Team Response
<p>3. Scoping report approach and methodology</p>	

SNH Comments	LTS Team Response
<p>In section 3.4.1 it is proposed that the consultation period for the SEA Environmental Report is 8 weeks. SNH response - This is acceptable to SNH.</p>	<p>Proposed 8-week period agreed with Scottish Ministers</p>
<p>5. Moray Local Transport Strategy 2 This section contains a list of potential actions/themes that could be included within the strategy. No questions are posed in this section but SNH would like to highlight the sorts of issues that could have a negative impact on natural heritage interests. Of the list provided, SNH has listed those with potential to impact negatively on the natural heritage in the table in the appendix.</p>	<p>Feedback appreciated in Section 5. We have provided comment on the Table of Actions below.</p>
<p>6. Environmental baseline information In this section the following information is sought and questions asked of consultation authorities; Section 6.1.1 (Data requirements – action required from consultation authorities) requests additional baseline information to inform the environmental reporting and the strategic assessment of the MLST2. Known baseline information sources are given in the table in 6.1 (page 18). SNH response – for <i>biodiversity, flora and fauna</i>, it is possible to obtain further detail regarding specific designated sites (SSSIs and Natura sites) using SNH's website facility SNHi. This may be useful if considering impacts to specific sites.</p> <ul style="list-style-type: none"> • The Moray Council's Natura Appraisals/ Appropriate Assessments of their Structure and Local Plans may provide additional information, including the sorts of mitigation that may be necessary for some projects. More specific sources of information relating to actual species may be held by Grampian Badger Surveys and the Forestry Commission Scotland. • The Moray Flood Alleviation Group have reports that may contain detail relating to land use within areas of Moray. • The River Spey Catchment Management Plan contains objectives relevant to the Moray Council. 	<p>Information sources have been investigated with respect to biodiversity and nature conservation</p> <p>LTS SEA team obtained copies of the Natura Assessments and these were helpful in establishing potential for impacts on the Natura network.</p>
<p>Section 6.4 (data requirements – action required from consultation authorities) seeks confirmation from the consultation authorities that all of the SEA topics have been covered within this report and answers to the following questions are requested; SNH response – SNH considers that the SEA topics are appropriate for this assessment.</p>	<p>Noted.</p>
<p>Are there any SEA topics which need to be 'scoped in' or 'scoped out'? SNH response – SNH considers that all SEA topic should be retained and does not consider that there is a requirement to 'scope in' any further topics.</p>	<p>Noted.</p>
<p>Are the environmental impacts suitable for each SEA topic? SNH response – SNH considers that the positive and negative environmental impacts suggested in the table in section 6.3 do identify many of the possible impacts of a transport strategy. SNH would recommend including cetaceans (all dolphins whales and porpoises),</p>	<p>Potential impacts on Cetaceans have been included within the</p>

SNH Comments	LTS Team Response
<p>as an example of European Protected Species under the negative impact section for biodiversity and nature conservation. The transport strategy intends to promote improvements to Moray's ports and harbours and the marine elements of this work can impact on cetaceans.</p> <p>The promotion of grass verges for biodiversity would only be a positive impact if the verges are maintained appropriately for wildlife. This does not always happen if this conflicts with safety issues.</p>	<p>environmental report.</p>
<p>Are there any significant strategic environmental impacts that could arise as a result of the transport planning of the LTS not mentioned above?</p> <p>SNH response – certain actions/themes of the transport strategy could have specific impacts on particular statutory designated sites. Where possible to identify, these are detailed within the table in the appendix. These tend to be the bigger projects affecting known routes or locations. Some of these projects have been included within the Moray Local and Structure Plan and the Natura Appraisals of these contain useful information regarding the sorts of mitigation that would be required. SNH recommends that these sources of information are used to prepare the Environmental Report.</p> <p>Transport maintenance regimes also have the potential to cause ongoing disturbance to natural heritage interests making it essential to put in place procedures for minimising the impacts.</p>	<p>The Environmental Report will use the Natura Appraisals (for Development Plans) and available SEA/EIA's for schemes/actions included under each of LTS themes. These sources will be useful in establishing both generic mitigation for the overall Strategy and also individual project level mitigation e.g. Elgin Bypass. The Elgin Bypass STAG assessment has also been consulted.</p>
<p>7. SEA objectives and indicators</p> <p>In section 7.8 (feedback on the SEA indicators and objectives – action required from consultation authorities) comment is welcomed on whether the SEA objectives and indicators are suitable to assess the LTS. Answers to the following questions are requested to assist in the formulation of a finalised list of objectives and indicators to be assessed in the environmental report;</p> <ul style="list-style-type: none"> • Are there any objectives which have not been addressed or should not be addressed as part of the SEA? Are there any changes to the wording of the SEA objectives that you feel would be more appropriate? <p>SNH response - SNH considers the SEA objectives to be appropriate. It may however be appropriate to highlight the River Spey Special Area of Conservation (SAC) under the SEA topic 'water'. The Moray Firth SAC is mentioned here in relation to coastal actions. The River Spey SAC includes many watercourses within Moray and many actions relating to transport improvements and maintenance can impact on the SAC.</p>	<p>Agree with the point raised and the ER will ensure that potential impacts on the Spey SAC are also addressed.</p>
<p>Are the indicators suitable to assess the objectives?</p> <p>SNH response – SNH considers that the indicators provided are suitable to assess the objectives</p>	<p>Noted.</p>

SNH Comments	LTS Team Response
<p>Of the objectives and indicators, do any hold specific importance over others? SNH response – SNH’s key interests lie with the following objectives and their indicators; Biodiversity and nature conservation (flora and fauna), Geology and soils, Water, Climatic factors and; Landscape. It will be essential that the implementation of the LTS does not result in an adverse impact on the integrity of any Natura sites or negative impacts to SSSIs. Elements of the LTS could impact on designated sites and mitigation is required to avoid such impacts. Protected species can be found throughout Moray and can be affected by transport related actions and it will be key to ensure that the correct surveys are carried out to determine the impact and inform mitigation plans. The water environments in Moray should be protected against pollution and disturbance from actions arising from the LTS. The River Spey SAC is particularly sensitive and covers a large area of Moray. Any action that could impact the SAC directly or indirectly is likely to require mitigation to avoid an adverse impact. SNH will be keen to ensure that the LTS demonstrates a positive move towards assisting in tackling climate change. The LTS should be able to demonstrate its consideration of potential effects on landscape when considering options, especially in areas more sensitive to change.</p>	<p>SNH has been further consulted on the requirements for Appropriate Assessment following feedback received via the SEA Gateway and advice will be taken into account during the preparation of the environmental report.</p> <p>Noted. The LTS promotes sustainable transport through many of the themes and actions. Strategic mitigation to reduce the overall impact of the LTS has been included. Landscape and Visual impacts have been assessed and mitigation proposed where required.</p>
<p>Is there any additional baseline information that may be required to fully assess the compliance of the LTS with the indicators? SNH response – other than the sources of information already mentioned above, SNH is not aware of any other information available for this purpose.</p>	<p>Noted.</p>
<p>Are there datasets that would allow for meaningful targeted objectives as opposed to directional objectives? SNH response – SNH is not aware of any additional datasets covering the areas of key interest above.</p>	<p>Noted.</p>
<p>Additional comments on the SEA scoping report for the LTS 4. Planning context and supporting information SNH would strongly recommend that the Natura appraisals/Appropriate Assessments of both the Moray Structure Plan and Local Plan are used to help prepare the SEA Environmental Report. These assessments contain information relevant to the minimisation and mitigation of impacts on Natura sites for specific plan policies and proposals. These assessments were undertaken in accordance with the ruling by the European Court of Justice in October 2005 that all Development Plans are required to be subject to an appropriate assessment of their implications for Natura 2000 sites. Much of the mitigation in these assessments may be directly transferable for the purpose of SEA in this case.</p>	<p>SNH have been further consulted on the requirements for Appropriate Assessment following feedback received via the SEA Gateway and advice will be taken into account during the preparation of the environmental report. Natura assessments for Moray Development Plan have been reviewed to inform the SEA Environmental Report.</p>
<p>5. Moray Local Transport Strategy 2</p>	

SNH Comments	LTS Team Response
Of the list of potential actions/themes provided in section 5.4, SNH has listed those with potential to impact negatively on the natural heritage in the table below. Table 1 - themes that could negatively impact on the natural heritage	See Table overleaf.
<p>8. Potential mitigation and monitoring</p> <p>The majority of mitigation will be most relevant at project level. It is therefore essential that SNH is consulted during project development. In most cases SNH is consulted, however SNH is aware of at least one case where SNH was not consulted on a road improvement project when we should have been. There must be procedures in place for all staff to be aware of the need to consult statutory consultees on certain projects. In addition to consultation on specific projects, many ongoing maintenance works can affect designated site and protected species. Moray Council needs to be aware of the sorts of actions that can impact on protected sites, species and biodiversity and the need to consult the relevant authorities. SNH accepts that it would not always be practical for Moray Council to consult on every maintenance issue and it may therefore be appropriate to develop generic method statements in consultation with the statutory agencies to ensure that the necessary protection is afforded to nature conservation throughout the range of transport activities that are performed by Moray Council. This is an issue that is especially relevant to the River Spey SAC in Moray.</p>	<p>Noted and agree with points made.</p> <p>Generic method statement for implementing transport projects/maintenance and improvements has been discussed and a section will be added to the environmental report to highlight environmental commitments.</p>

MORAY COUNCIL AND PUBLIC COMMENT

Comment from	Comment Made	SEA Team Response
Gary Templeton - The Moray Council	Para 4.3 Moray Local Plan should perhaps state Moray Local Plan 2000 and finalised Moray Local Plan Review	Noted.
	Para 6.2, first section in table, line 2 type "conservation" rather than "conversation"	Noted.
	Para 6.2, table, could these be ranked in terms of importance, suggest flooding, waste are top of the list	Noted.
	Para 6.2 table, perhaps Windfarms should be listed under Landscape? and near the top of priorities	Noted.

Comment from	Comment Made	SEA Team Response
	Para 6.3 table Land Use section should this statement refer to built heritage/ archaeology as well	Noted.
	Para 6.3 Landscape section replace word High with "Great". Suggest remove the reference to landscape Character Assessment. The AGLV's were not designated through the Character Assessment.	Noted.
	In the development Plan SEA we used a catch all "quality of life" objective. Is this worth introducing in the objectives table. We found it very useful to weigh up the positives and negatives and take account of wider factors	Agree that the 'Quality of Life' Objective would give a useful overview of the need for the 'Action' as per your suggestion and the importance of the action to local people etc. Environmental report will incorporate this objective within the assessment matrices.
	Overall the Scoping Report appears to be very comprehensive	We welcome positive comments on the overall SEA Scoping and appreciate all of the feedback received. Comments will be fully addressed throughout the drafting of the Strategy and the SEA.

Comment from	Comment Made	SEA Team Response
<p>Douglas Caldwell The Moray Council Environmental Health</p>	<p>Having regard to MLTS 2 Scoping Report and in particular page 39 it is stated that there will be an "Annual check that no noise and vibration nuisance be recorded in the region". I was wondering how this was information was to be retrieved, e.g. as complaints registered with Environmental Health and Roads? It should also be clarified that noise and vibration from transportation sources does not constitute a nuisance in terms of Environmental Protection Act 1990 and therefore this Section would seldom deal with these complaints or record them.</p> <p>I hope this reply is of assistance and in relation to the other aspects of LTS this Section has no concerns or observations.</p>	<p>We agree that noise and vibration indicators are difficult to determine particularly given that traffic noise being excluded from EPA i.e no systematic recording of complaints of noise re traffic. Noise and vibration as an environmental issue is more likely to be a potential significant impact for new infrastructure schemes e.g. a bypass or improvement schemes and information on noise and vibration impacts, would generally in these cases come from STAG/EIA assessment. The check we would propose would likely constitute a review of any schemes implemented as part of the LTS where a potential noise impact was identified and collation of any data produced to inform a view as to whether the LTS implementation has had an adverse impact.</p> <p>The SEA indicators at this stage are presented as suggestions to prompt feedback from the Consultation Authorities. Any proposed SEA indicators will have to be agreed by Moray Council in liaison with the various sections within the Council who hold data. Proposed indicators will be refined following discussion with the Consultation Authorities (SNH/SEPA/HS) on adoption of the plan. The final decision on indicators will be based on the potential environmental impacts of the Strategy and whether monitoring is likely to be required, availability of data, ease of data collation and likely value of proposed indicators.</p>