

EAST AYRSHIRE COUNCIL

DEVLEOPMENT SERVICES COMMITTEE - 6 MARCH 2007 CONSULTATION ON SCOTLAND RIVER BASIN DISTRICT RIVER BASIN PLANNING: A PLAN OF ACTION

Report by Acting Executive Director of Development and Property Services

1. PURPOSE OF REPORT

1.1 To advise the Committee of the contents of the consultation document entitled Scotland River Basin District River Basin Planning: A Plan of Action, issued by SEPA, and to seek the views of the Committee on the proposed response to SEPA by the Head of Planning, Development and Building Standards.

2. BACKGROUND

2.1 The above document has been put out by SEPA for consultation until 22nd June 2007.

2.2 The consultation document represents the next stage in implementing the river basin planning system required by the European Water Framework Directive (WFD). The WFD requires SEPA to prepare a River Basin Management Plan for the Scotland River Basin District by 2009.

2.3 The River Basin Management Plan will contain information on the water environments of the Scotland River Basin District, which includes most of East Ayrshire, how they are used and what can be done to improve their quality. It will also recognise the important needs of economic development and uses that are made of these waters for recreation, wildlife and industry.

2.4 To help prepare the Plan, SEPA is developing a new system called River Basin planning. In the next three years this system will prepare the River Basin Management Plan for the Scotland River Basin District.

2.5 The Plan of Action Report sets out the principal steps and consultation measures that will lead to the production of the above River Basin Management Plan for the Scotland River Basin District. It should be noted that a simultaneous consultation is being undertaken by SEPA in respect of a similar Plan of Action for the Solway Tweed River Basin District which includes the headwaters and upper stretches of the River Nith, and its tributaries within East Ayrshire. These Plans of Action have been informed by input from National and Area Advisory Groups. A digest of responses to the Plans of Action will be produced by SEPA in autumn 2007.

2.6 The consultation document specifically asks for responses on four questions relating to the proposed Plans of Action. These questions, and the responses to them suggested by the Head of Planning, Development & Building Standards, comprise Section 4 of this report.

3. MAIN PROVISIONS OF THE PLAN OF ACTION CONSULTATION DOCUMENT

3.1 The Plans of Action set out the inclusive and participative approach to producing and implementing the River Basin Management Plan required by the WFD. This approach will assist understanding and acceptance of how priorities and targets have been identified, how they are to be best delivered and by whom.

3.2 SEPA have identified it as being important that responsible authorities (including Councils), key stakeholders and co-deliverers involved in water management/environment, and the public, should have the opportunity for active involvement in the process. Active involvement will be achieved through a three tier system comprising the following:

National Advisory Group:

This will oversee the river basin planning process at the national level, contribute to the preparation of the RBMP for Scotland and co-ordinate the work of the Area Advisory Groups below.

Area Advisory Groups (AAGs)

Eight AAGs comprising representatives of responsible authorities and important local bodies to advise, and support the preparation of Area Management Plans which taken together would make up the RBMP

Area Advisory Group Forums

Each AAG will have an Area Advisory Group Forum with a wide and open membership to be convened at important stages in the development of the RBMP so as to allow wider consultation and access to information.

3.3 An initial membership list for the above forums has been developed by the Area Advisory Groups, and it is suggested that they include:

- Elected Council Members
- District Salmon Fishery Boards
- Community Councils
- Local Wildlife Groups
- Local Landowners, Managers and Businesses

4. CONSULTATION QUESTIONS/RESPONSES

4.1 The consultation document asks for replies to four questions. These questions and the suggested responses to them are set out below:

Q.1 Do you wish to become an Area Advisory Group Forum member in your area?

A. It is considered that it would be advantageous if Local Elected Members took part in the relevant Area Advisory Group Forums to ensure that local issues relating to formulation of the River Basin Management Plan can be raised and debated..

Q.2 Do you have suggestions for ways in which more people can be encouraged to get involved with the Area Advisory Group Forums? Are these suggestions area specific or could they be applied nationally.

A. *It is considered that the initial membership list for the Forum would enable most local interests to be represented.*

Q.3 Have we made the audiences, structures to be used and engagement opportunities clear? If not, what further clarification should we provide?

A. Yes.

Q.4 Have we made the steps, documents to be produced and the consultation opportunities associated with these documents clear? If not what further clarification should we provide?

A. *It is noted that Forums might meet only once a year. This would mean that no more than two such meetings might be convened before publishing the draft River Basin Management Plan in December 2008. It is considered that this might not give forum members a reasonable opportunity for open discussion of recommendations put forward to SEPA by the Area Advisory Groups and it is therefore suggested that the Forums meet about every six months.*

5. LEGAL IMPLICATIONS

5.1 None.

6. COMMUNITY PLAN & POLICY IMPLICATIONS

6.1 It is considered that the consultation Plan of Action will not have any implications in terms of the Community Plan.

6.2 As regards the Finalised Ayrshire Joint Structure Plan 2006 it is possible that this will be approved before the preparation of the Draft River Basin Management Plan begins in August 2007. Similarly the Finalised Draft East Ayrshire Local Plan Alteration is currently under preparation. It will therefore not be possible to incorporate any policies, proposals or recommendations of the River Basin Management Plan within the Ayrshire Structure Plan and any issues affecting the Local Plan Alteration will have to be considered late on in the Local Plan preparation process which is not ideal.

7. RECOMMENDATIONS

7.1 It is recommended that the Committee agrees the proposed formal response by the Head of Planning, Development and Building Standards to the Plan of Action consultation documents as set out in Section 4 above, and this response be forwarded to SEPA and that SEPA be informed of the development plan timetabling issues outlined in Section 7.

Jim Kane
Acting Executive Director of Development and Property Services

JT/IMB
13 February 2007
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LIST OF BACKGROUND PAPERS

1. A Plan of Action: River Basin Planning in the Scotland River Basin District Consultation (SEPA, February 2007).
2. A Plan of Action: River Basin Planning in the Solway Tweed River Basin District Consultation (SEPA, February 2007)
3. Report by Executive Director of Development & Property Services: SEPA Consultation on the Scottish River Basin Management Planning Strategy to Development Services Committee – 29th June 2004.