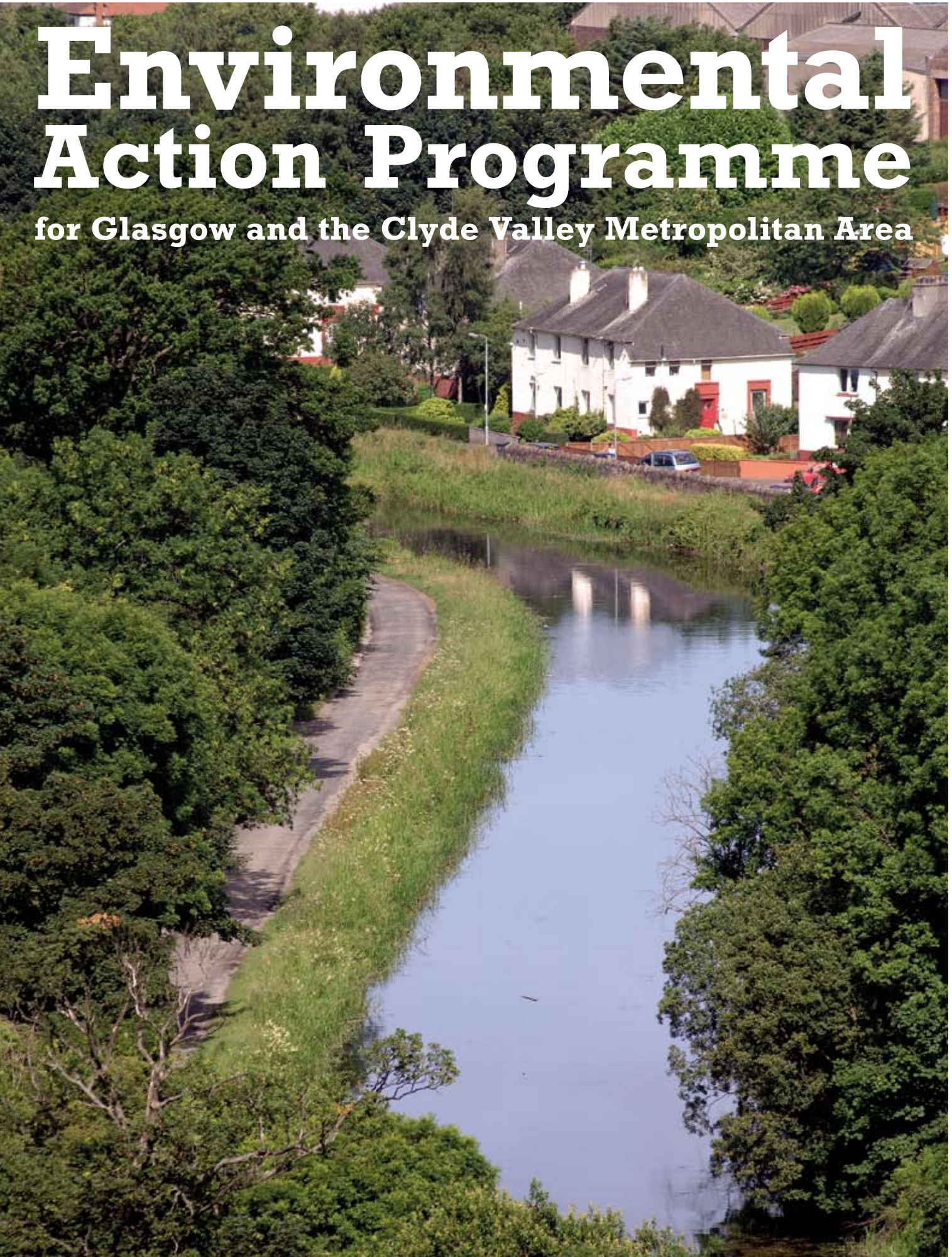


# Environmental Action Programme

for Glasgow and the Clyde Valley Metropolitan Area





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## one Context

The need to achieve good water, air and land quality in addition to the need to minimise, recover and manage waste is vital in supporting the health and economy of Scotland.

Despite improvements in delivering improved environmental quality there is still much to be achieved in the Glasgow Metropolitan Area.

Whilst recognising that there are other agencies and partners involved in environmental matters it is considered important that an understanding is developed to meet the key environmental challenges by recognising the significant role that the Scottish Environment Protection Agency (SEPA), along with other public bodies such as Scottish Water and the development industry, play in supporting the economic regeneration of Glasgow and the Clyde Valley. A collaborative understanding is therefore desirable to ensure SEPA and the Structure Plan Joint Committee work together in support of both SEPA's 3-year Corporate Plan (April 2005 - March 2008) and the Joint Structure Plan and their future revisions.

This Joint Action Programme is structured to provide an overview of the priorities of both organisations, in terms of SEPA's Outcomes their relevance to land use planning, generic examples of overlap and the details of joint action. The purpose is to supplement existing published documents and policies and this should be read in conjunction with those referenced in the text.



## two The need for an Action Programme

The planning system in Scotland is undergoing change. The Planning etc (Scotland) Act 2006 seeks to manage development in a sustainable way and sets the legislative framework for the introduction of Strategic and Local Development Plans. A key component of this new approach is a statutory requirement for engagement with key agencies in the preparation of action programmes. One of these key agencies is likely to be SEPA.

The constituent authorities of the Glasgow and the Clyde Valley have embarked on an Alteration to the approved 2000 Joint Structure Plan which sets out an Agenda for Sustained Growth in support of its Metropolitan Development Strategy. This Agenda for Sustained Growth aims to achieve a major shift in the economic competitive position of the Structure Plan area.

This agenda is based on a faster rate of development than assumed in the 2000 Plan and is based on sustaining the rate of improvement of the economy which has been experienced in recent years. The implementation of this Strategy will be delivered within the Plan's Guiding Principles of Sustainable Development which are designed to ensure that all development decisions reflect a commitment to sustainable development and tackling climate change.

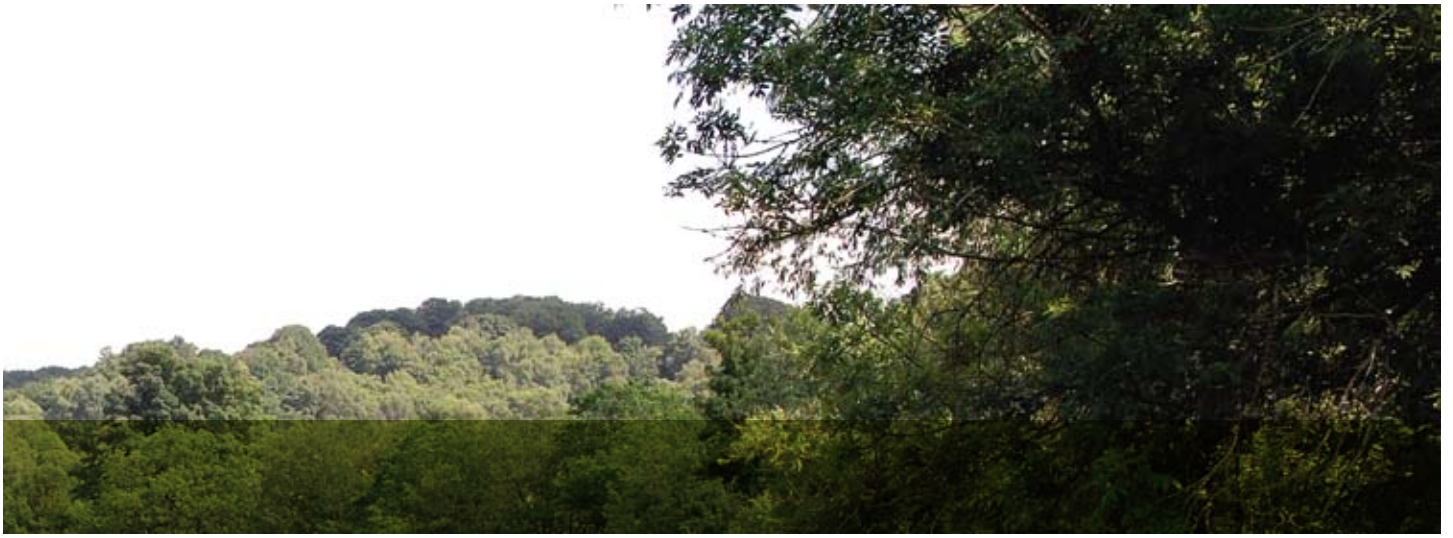
SEPA is the public body responsible for environmental protection in Scotland. Its main aim is to:

“...provide an efficient and integrated environmental protection system for Scotland that will both improve the environment and contribute to the Scottish Ministers' goal of sustainable development...”

SEPA have set out in their Corporate Plan a number of key targets in support of its six long term 'outcomes' to provide an efficient and integrated environmental protection system for Scotland.

These are:

- minimised, recovered and well-managed waste;
- good water environments;
- good air quality;
- good land quality;
- a respected environment: protected, informed and engaged communities; and
- economic wellbeing.



SEPA also works in partnership with many organisations to help protect and improve the environment and recognises that the planning system is a key mechanism in this regard.

Within SEPA's Environmental Protection and Improvement Directorate, three geographical (South West, North and South East) focused Planning Units are responsible for engaging with planning authorities. One of the Unit's key roles is discharging statutory consultee duties under the Town and Country Planning (General Development Procedure) (Scotland) Order 1992 (as amended). The Planning Act (2006) also contains new duties for SEPA, most notably the expected key agency status.

In addition the Structure Plan Joint Committee is seeking to compliment Scottish Water's investment programme for the Quality and Standards III (Q&S III) period (2006-2014) programme of investment by demonstrating the land use planning context for effective investment decision making both to 2014 and into the longer term (2014 onwards). Support for the joint Scottish Water / SEPA Memorandum of Understanding is recognised.

In terms of the interaction between land use planning and SEPA's statutory duties and organisational objectives, Planning Advice Note 51 Planning, Environmental Protection and Regulation states:

“ The environment has always been a central concern of structure plans. They have to reconcile the requirement for development with the protection of the environment at the strategic level. Their interaction with River Basin Management Plans, strategic waste management, contaminated land and air quality may typically also raise strategic issues. ”

Further, Planning Advice Note 79 Water and Drainage states that the effective interaction between the planning system, the water and waste water infrastructure regime and environmental legislation requires effective participation by all stakeholders to enable appropriate development to proceed. The need for closer working between planning authorities and SEPA is also highlighted in the Scottish Executive's research report The Interaction between Land Use Planning and Environmental Regulation published in October 2006.

The Joint Action Programme will therefore seek to achieve:

- effective interaction by setting out key principles which outline the role of SEPA in supporting the delivery of the Structure Plan and Local Plans covering Glasgow and the Clyde Valley;
- highlight where the Structure Plan can contribute to the delivery of SEPA's long-term 'outcomes'; and
- identify strategic and local environmental issues which overlap between SEPA and planning authorities, as proposed in Planning Advice Note 51 Planning, Environmental Protection and Regulation.



## three Issues

There is an overarching benefit in ensuring there is a co-ordinated approach to improving not only the quality of the built environment but also safeguarding the environment. In terms of SEPA's six 'outcomes' the Structure Plan supports SEPA's objective to protect, inform and engage with communities as well as promoting economic wellbeing. In relation to SEPA's other four long-term 'outcomes' those which are considered to have the most relevance to land use planning are outlined below with examples of overlap with land use planning.

### Minimised, recovered and well-managed waste

Delivery of National Waste Strategy and Area Waste Plans:

- land use implications of the Area Waste Plan (as per SPP 10 *Planning and Waste*)
- strategic guidance to support local plans;
- delivery of Strategic Outline Cases;
- promotion of waste minimisation including the need for all development to facilitate collection segregation recycling; and
- guidance for the management of all waste streams.

### Good water environments

Contribute to the protection, improvement and sustainable use of the water environment as required by the Water Framework Directive. This Directive is transposed into Scots law by WEWS <sup>1</sup>, under which Planning Authorities are identified as Responsible Authorities.

Emerging Development Plans should build on current policies which protect the water environment, recognise the links between planning decisions and Controlled Activities Regulations (CAR) <sup>2</sup> and in the future reflect priorities identified in the River Basin Management Plan.

Examples of specific content which would implement the above include:

- policies which integrate sustainable water use and management principles, for example:
  - (a) policies which require SUDS in new developments;
  - (b) the promotion of opportunities to improve ecological condition of the water environment (including quantity, associated habitats and physical characteristics).and promote the restoration of rivers, including the opening up of existing culverts (as per NPPG 14 *Natural Heritage*);
  - (c) policies for the protection of groundwater (quality and quantity);
  - (d) sustainable flood management, including, protection of the functional floodplain (as per SPP 7);
  - (e) explicit promotion of the strategic sewerage network and a recognition of the role of private sewerage treatment facilities;
- in considering new allocations for development:
  - (f) avoid new culverting and modifications to banks or channels in watercourses;

<sup>1</sup> Water Environment and Water Services (Scotland) Act 2003

<sup>2</sup> Water Environment (Controlled Activities) Scotland Regulations 2005



- (g) protect floodplains and their functions (as per SPP 7), connection to a public sewer where one exists (as per PAN 79);
- (h) identify opportunities to improve ecological condition of the water environment and promote the restoration of rivers;
- (i) protect existing drinking water supplies;
- (j) in the first instance direct sensitive or extractive industry to sites which present no risk to the water environment (ie proximity to water courses, groundwater sensitivity);
- (k) take account of existing water users for example recreational users, abstractive industries and private drinking water supplies.

### Good air quality

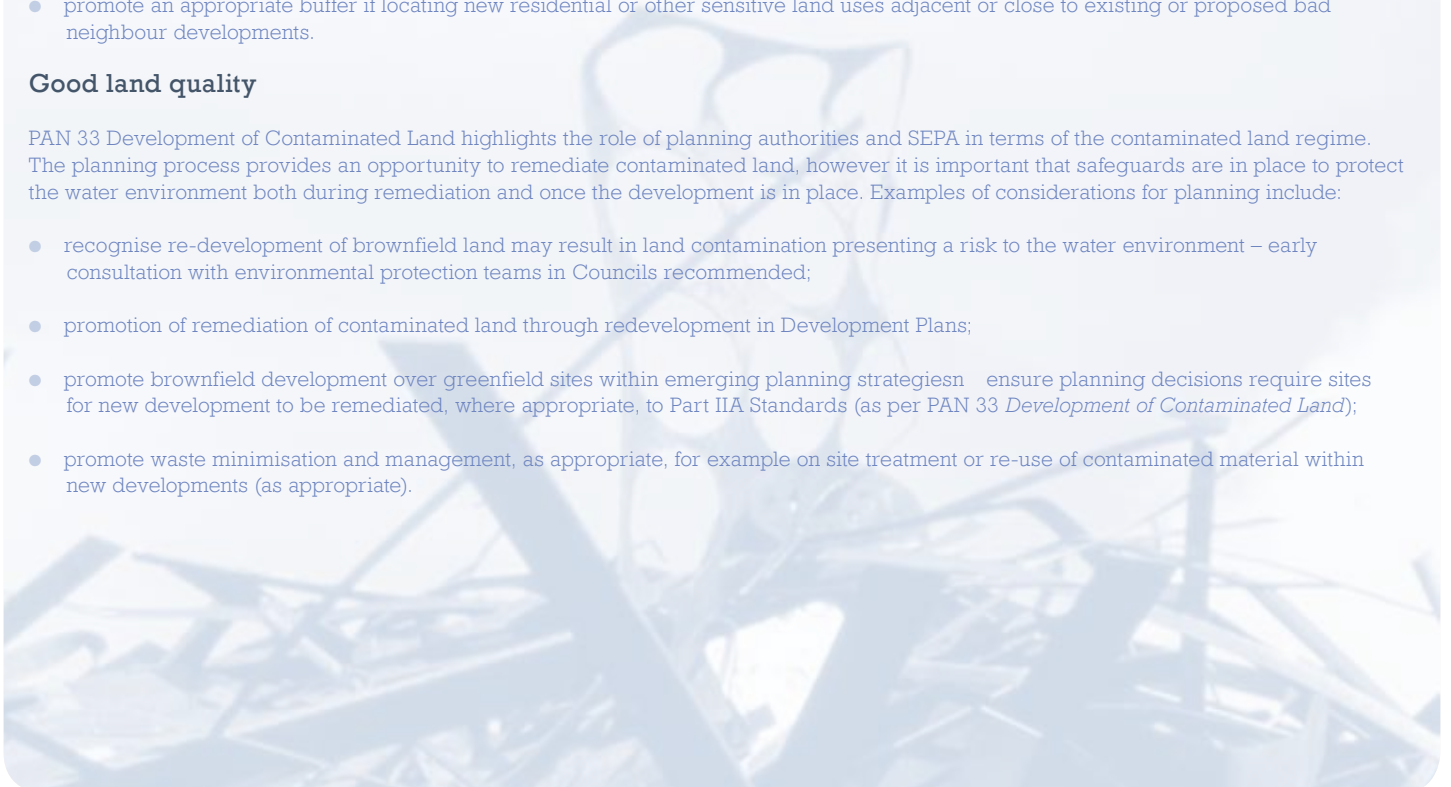
It is important that Development Plans and planning decisions incorporate the protection of air quality and the improvement of areas with poor air quality. The protection and monitoring of local air quality is a duty on local authorities whereas SEPA is responsible for regulating certain prescribed processes. Examples of planning considerations:

- promotion of the role of the planning system in ensuring good air quality (i.e. any consideration of the quality of land, air or water and potential impacts arising from development, possibly leading to a proven impact on health, is capable of being a material consideration, insofar as it may arise from any land use (as per PAN 51);
- recognition in policy of the need to protect and improve air quality including the requirement for Air Quality Assessments where appropriate;
- linking Air Quality Management Areas (AQMA) and the resulting Action Plans with Local Plans;
- promote an appropriate buffer if locating new residential or other sensitive land uses adjacent or close to existing or proposed bad neighbour developments.

### Good land quality

PAN 33 Development of Contaminated Land highlights the role of planning authorities and SEPA in terms of the contaminated land regime. The planning process provides an opportunity to remediate contaminated land, however it is important that safeguards are in place to protect the water environment both during remediation and once the development is in place. Examples of considerations for planning include:

- recognise re-development of brownfield land may result in land contamination presenting a risk to the water environment – early consultation with environmental protection teams in Councils recommended;
- promotion of remediation of contaminated land through redevelopment in Development Plans;
- promote brownfield development over greenfield sites within emerging planning strategies ensure planning decisions require sites for new development to be remediated, where appropriate, to Part IIA Standards (as per PAN 33 *Development of Contaminated Land*);
- promote waste minimisation and management, as appropriate, for example on site treatment or re-use of contaminated material within new developments (as appropriate).



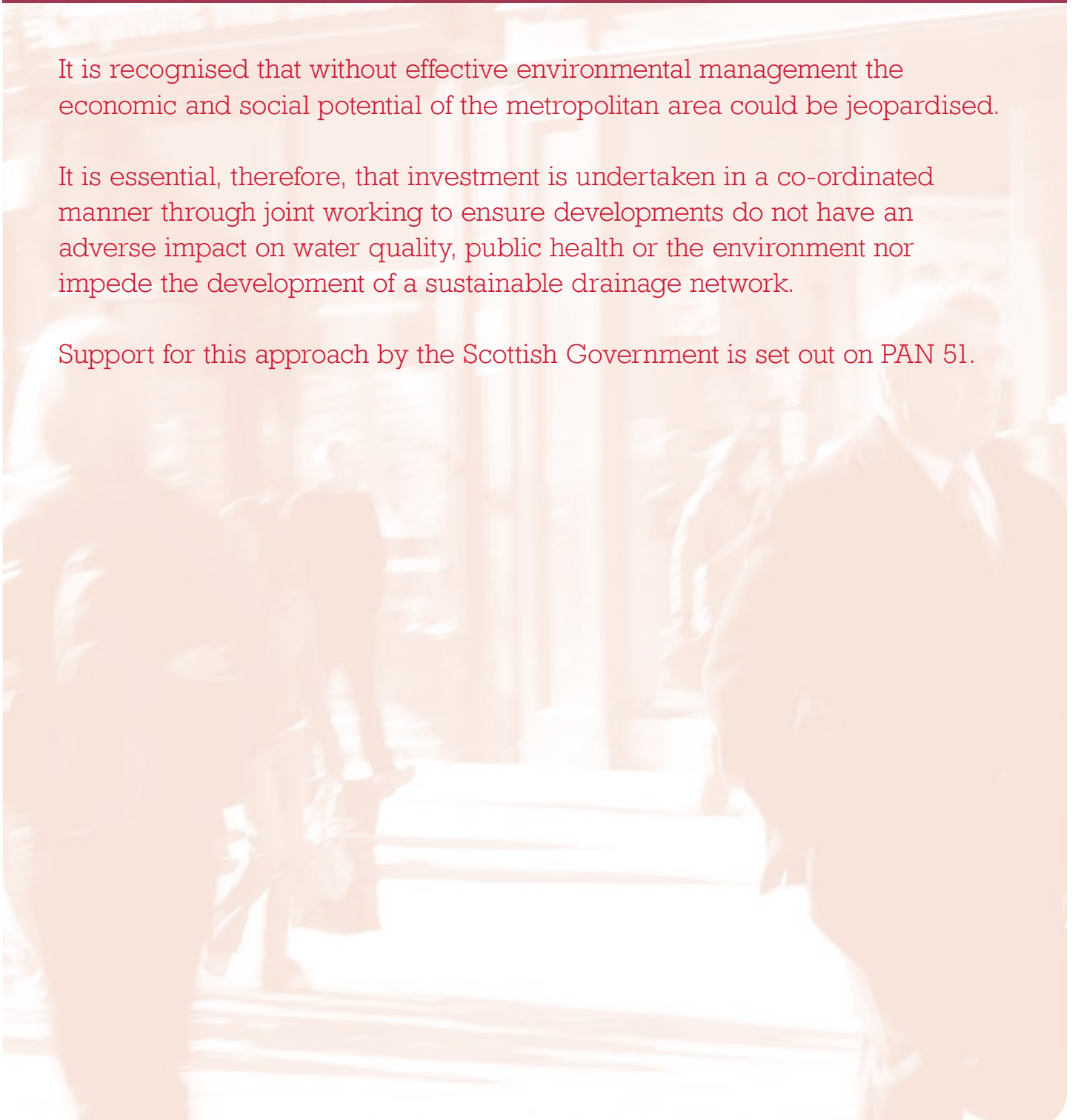


#### four Support for Joint Working

It is recognised that without effective environmental management the economic and social potential of the metropolitan area could be jeopardised.

It is essential, therefore, that investment is undertaken in a co-ordinated manner through joint working to ensure developments do not have an adverse impact on water quality, public health or the environment nor impede the development of a sustainable drainage network.

Support for this approach by the Scottish Government is set out on PAN 51.





## five Spatial Development Priorities

The development priorities for the Structure Plan 2006 Third Alteration have been reaffirmed in the Scottish Executive's National Planning Framework (April 2004) and Regeneration Policy Statement (2006) which identifies:

- the Clyde Corridor including the **Clyde Waterfront** and **Clyde Gateway Flagship Initiatives** as key regeneration and renewal priorities
- Lanarkshire, in particular **Ravenscraig** (as a Metropolitan Flagship Initiative), **Gartcosh** and **Eurocentral**, as key economic development zones for Scotland;
- improving the quality of the core of the **metropolitan area** as part of the national strategy through the reuse of urban brownfield land; and
- **Gartcosh** and **Bishopton** as two of the preferred locations for long-term expansion within the Glasgow and Clyde Valley area, in addition to eleven other Community Growth Areas.



## six Key Areas for Joint Working

### Minimised, recovered and well-managed waste

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Recognise the limited focus of the current Area Waste Plan as it is focused on domestic municipal waste streams and is not a land use planning document. Promote an expansion of joint working to address all waste streams particularly non-municipal waste for example commercial and business waste.

Support for an integrated network of long term waste management facilities to serve Glasgow and the Clyde Valley recognising the role of technologies for example recycling facilities, biological/mechanical treatment facilities and energy recovery from waste facilities.

Suitable locations for waste management facilities, to meet necessary capacity increase and to support the Areas Waste Plan's spatial implications which should be assessed in accordance with paragraphs 22 to 50 of PAN 63 Waste Management Planning.

### Good water environments

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Support for SEPA's lead role in River Basin Management Planning. Recognition that while the WEWS Act places a duty on SEPA as the lead authority, responsible authorities are also required to ensure the Directives requirements are met. WEWS identifies local planning authorities as one of the responsible authorities who are required to exercise their designated functions so as to secure compliance with the requirements of the Directive.

Agreement regarding the role of privately sewerage treatment facilities provided these accord with SEPA's policy on Provision of Waste Water Drainage in Sewered Areas and can be adopted by Scottish Water and incorporated into the public infrastructure network.

Acceptance of the Structure Plan's approach, through Strategic Policy 9B(viii) and 9C(iv) to the management of flood risk safeguarding of the storage capacity of functional floodplain and provision of SUDS.

Promote awareness, application and understanding of SEPA's indicative coastal and fluvial flood risk mapping.

Support delivery of the COSLA / SEPA Flood Risk Protocol (under review at time of writing).



## Good air quality

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Local authorities to regularly review and assess air quality in their areas against seven of the nine air quality objectives set out in the Air Quality Strategy for England, Scotland, Wales and Northern Ireland (2003).

Promote improved air quality through the management of the demands for travel, tree planting as part of development of the Green Network and Indicative Forestry Strategy.

Recognition that new development in, adjacent to an AQMA or that might result in a new AQMA should be accompanied by a Air Quality Assessment.

Support for the Structure Plan's approach to locate new development and urban expansion to areas with existing or planned public transport links. Promote mixed use developments which minimise the need to travel.

Support for the promotion, improvement and expansion of the public transport network.

## Good land quality

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Support for the Structure Plan's renewal strategy and remediation of contaminated land through redevelopment with preference for the identification and re-use of brownfield sites.

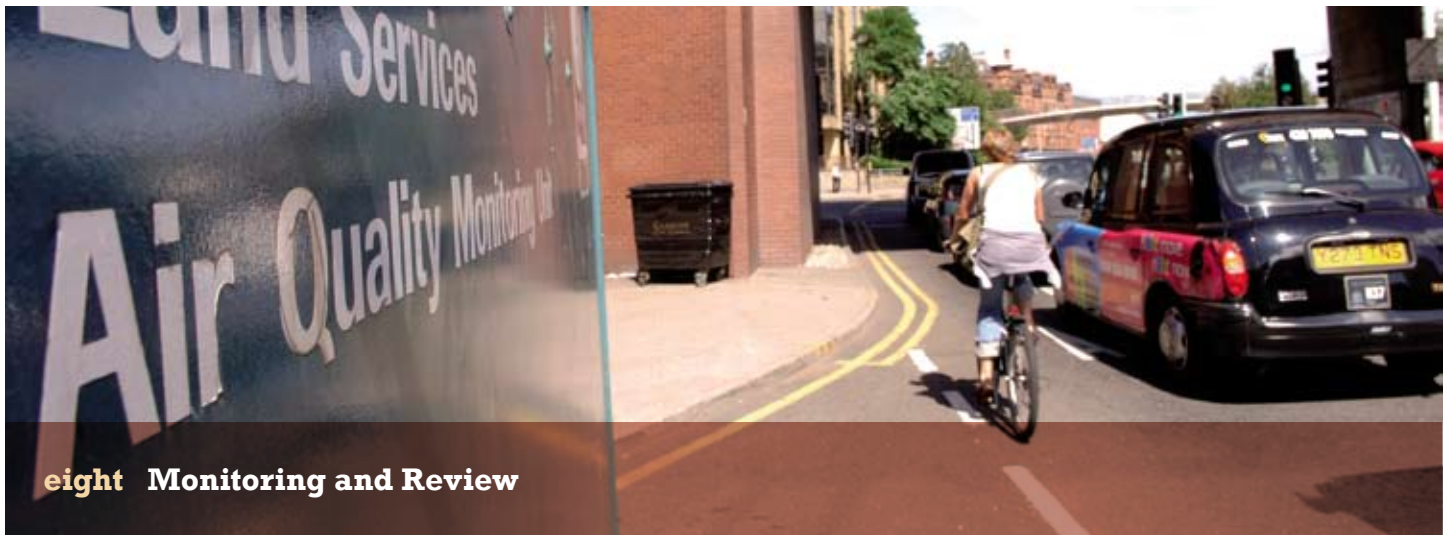
Promote awareness and understanding of the Contaminated Land regime. Local Authorities to regularly inspect their areas to identify contaminated land supported by site specific guidance from SEPA in terms of both site identification and potential remediation.



## seven Principles of Joint Approach

The joint approach advocated through this joint working understanding will be based upon the following principles:

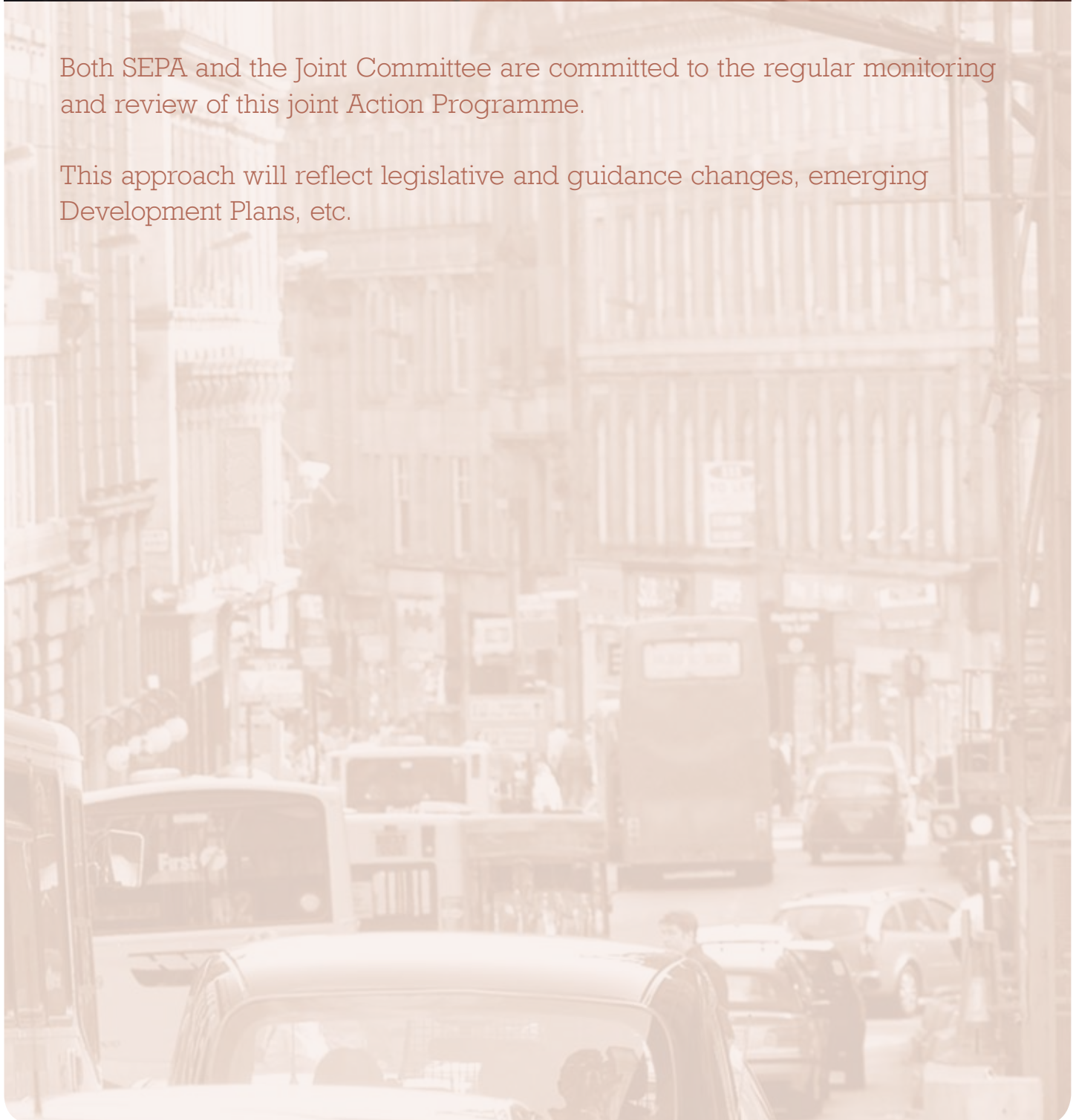
- **Strategy Driven** - a presumption in favour of projects and strategies which align with those areas identified in the Structure Plan and SEPA's Corporate Plan
- **Partnership** - recognition of respective roles and responsibilities and committed involvement of the Joint Committee and SEPA to joint working
- **Established Communication Mechanisms** - promote early and regular communication and dialogue between SEPA, the Joint Committee and its constituent authorities (Appendix 2)



## eight Monitoring and Review

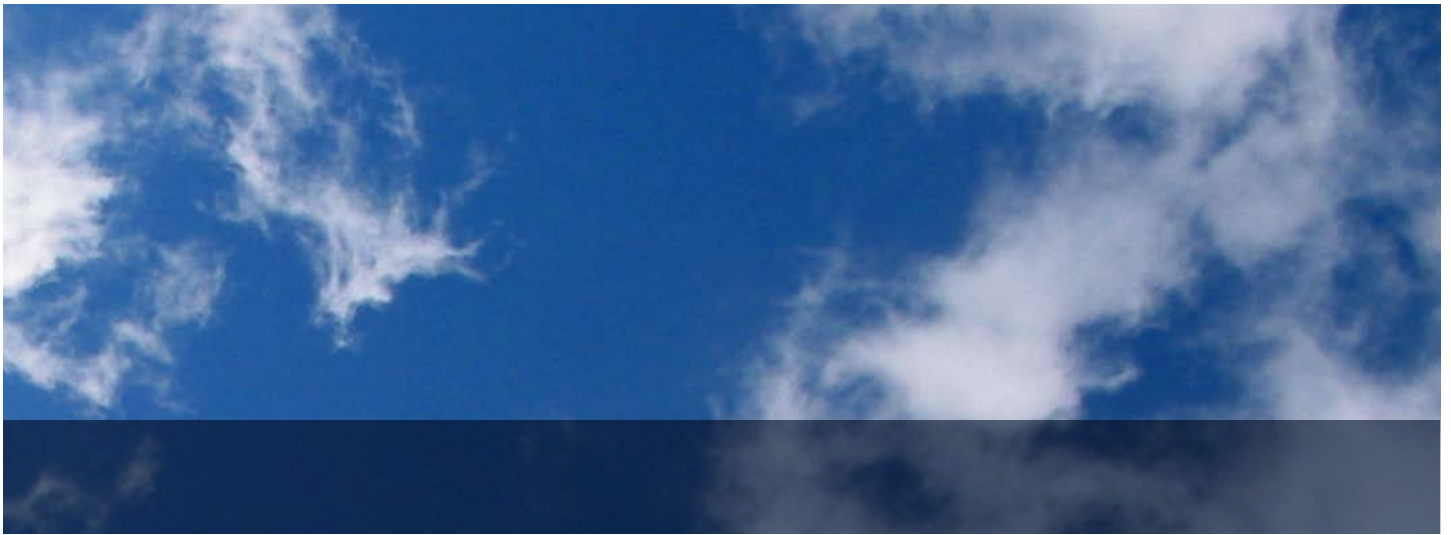
Both SEPA and the Joint Committee are committed to the regular monitoring and review of this joint Action Programme.

This approach will reflect legislative and guidance changes, emerging Development Plans, etc.



## appendix 1 Key Areas of Joint Action

Action	SEPA Responsibility	GCV Responsibility
<b>Preparation of a long-term Development Strategy</b> for the Glasgow and the Clyde Valley and delivery the Strategic Spatial Development Priorities	SEPA (Planning Unit) to co-ordinate advice with regard to SEPA policies, regulatory duties and interests into masterplan/planning applications process particularly in terms of pre meetings with Local Authorities.	GCVSPJC to develop long term development strategy and identify strategic development requirements and supporting technical justification in consultation with a number of key agencies including SEPA.
<b>Improving the Water Environment:</b> River Basin Management Plan (RBMP) - River Clyde	Environmental Partnership Unit) to co-ordinate preparation of RBMP, in partnership with Advisory Group members.  SEPA to promote awareness, application and understanding of its indicative coastal and fluvial flood risk mapping.	GCVSPJC to support the role of SEPA in the development of River Clyde RBMP and to participate in the Clyde Area Advisory Group, acting as representative for the GCV Local Authorities and Clyde Valley Community Planning Partnership as required.  GCVSPJC to work with SEPA and Local Authorities to improve the quality and understanding of SEPA's flood risk mapping.
<b>Local Authority Development Forum</b>	SEPA (Planning Unit) to participate, co-ordinating advice relevant to SEPA policy, regulatory duties and interests.	GCVSPJC to support Local Authorities as required.
<b>Strategic Options / Area Waste Plan:</b> Glasgow and the Clyde Valley	SEPA (Environmental Partnership Unit) and Waste Strategy Area Group to provide advice to local authorities on waste related issues.  SEPA (Environmental Partnership Unit) to lead revision of Area Waste Plan in partnership with local authorities and GCVSPJC.	GCVSPJC to engage with SEPA in the future development of the Glasgow and Clyde Valley Area Waste Plan particularly with regard to non municipal waste issues and development an understanding of the strategic requirements for the treatment of waste both in terms of scale and related facilities.  GCVSPJC to engage with SEPA in the production of an Issues Report in the context of developing a long term strategy to 2030 for waste management planning for the new Strategic Development Plan.
<b>Strategic Environment Assessment (SEA)</b>	SEPA (Planning Unit) to provide data to GCVSPJC and LAs for the development of SEAs and SEA monitoring.	GCVSPJC to engage, at early course with SEPA in its preparation of SEAs for future Structure Plans.



Action	SEPA Responsibility	GCV Responsibility
<b>Air Quality</b>	<p>SEPA (Environmental Partnership Unit) to contribute to local authority air quality review and assessments.</p> <p>SEPA to monitor and regulate industry to reduce pollutants and minimise harm to the environment and human health.</p> <p>SEPA (Environmental Partnership Unit) to work in partnership with local authorities to address poor air quality at local and regional level.</p>	GCVSPJC to work in partnership with, and support Local Authorities as required as they undertake air quality review and assessments.
<b>Improving Land Quality</b>	SEPA (Environmental Partnership Unit) to promote awareness and understanding of its role in the Contaminated Land regime.	GCVSPJC to continue to support its Metropolitan Development Strategy through the remediation of contaminated land and preference for the identification and re-use of brownfield sites.
<b>Metropolitan Glasgow Strategic Development Plan (GSDP) / Clyde Gateway Integrated Water Plan (CGIWP)</b>	<p>SEPA (Planning Unit) to co-ordinate advice relevant on SEPA policies, regulatory duties and interests into masterplan/planning applications emerging from the work of the GSDP and CGIWP.</p> <p>SEPA appointed to sit on GSDP Partnership Board.</p>	GCVSPJC appointed to sit on GSDP Partnership Board.
<b>Clyde Valley Flood Liaison Action Group (FLAG)</b>	SEPA (Hydrology Unit) to provide input regarding strategic flood risk issues as appropriate.	GCVSPJC member of Clyde Valley FLAG.
<b>Structure Plan Preparation and Action Programme</b>	SEPA to engage, at early course, with GCVSPJC on future alterations/revisions to the approved Structure Plan and to the development work of the new Strategic Development Plan.	GCVSPJC to consult SEPA, at early course, on future alterations/revisions to the approved Structure Plan and to the development work of the new Strategic Development Plan.
	SEPA to engage, at early course, with GCVSPJC on the development of the Structure Plan Action Programme.	GCVSPJC to consult with SEPA, at early course, in the development of the Structure Plan Action Programme.
<b>Consultation / Engagement</b>	SEPA (Planning Unit) to meet bi-annually with GCVSPJC to review the joint action programme and other general related policy matters.	
	SEPA and the GCVSPJC to utilise the organisational structure of each organisation (Appendix 2) as required to disseminate matters of interest.	



## appendix 2 Organisational Structures

### Glasgow and the Clyde Valley Structure Plan Joint Committee

The **Joint Committee** comprises two elected politicians from each of the eight constituent local authorities.

The **Steering Group** comprises the Planning and Technical Directors from each of the eight local authorities.

**Heads of Policy** comprises the Heads of Local Planning from each of the eight local authorities.

The **Topic Groups** (Technical) - Environment, Housing, Industry and Business, Vacant and Derelict Land, and Retail - are comprised of the technical / policy planning officers from each of the eight local authorities.

The **Core Team** comprises the standing professional staff of the Joint Committee whose primary role is the production of the authorities' joint statutory Structure Plan.

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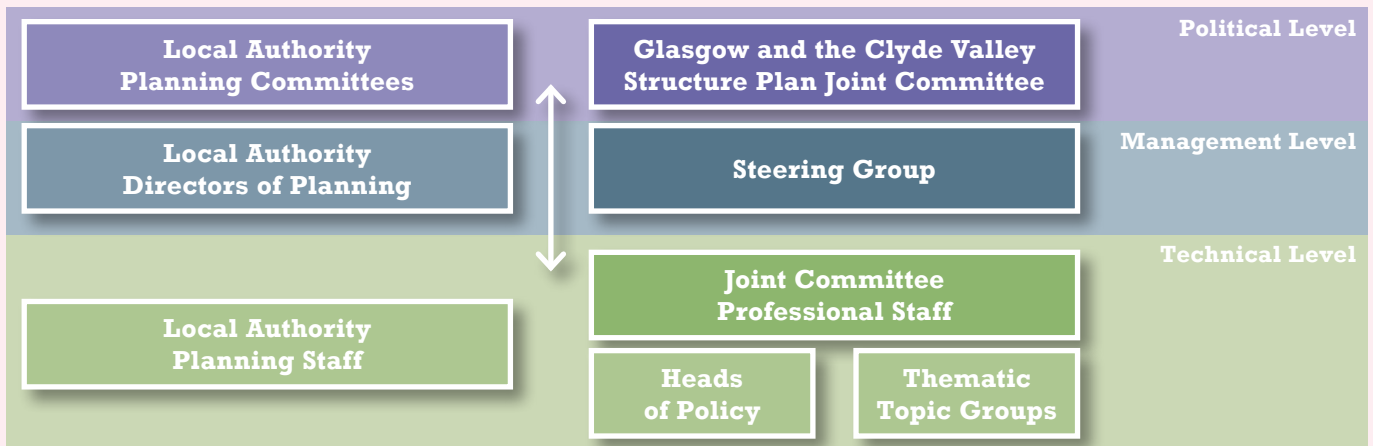
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## Scottish Environment Protection Agency

### Who we are

SEPA was appointed as Scotland's environmental regulator and advisor in 1996. It is our duty to protect land, air and water quality, which together form Scotland's environment.

Working in partnership with others to achieve sustainable economic growth, we have a range of responsibilities, including:

- dealing with pollution incidents;
- implementing European Community Directives and other international obligations;
- regulating (enforcing environmental laws and regulations);
- monitoring (measuring the condition of the environment against standards);
- influencing, educating, advising and informing.

### How we are governed

SEPA has an Agency Board, which is appointed by Scottish Ministers and comprises of a chairman, deputy chairman and ten members (including the Chief Executive). This board has ultimate responsibility for the organisation, and meets regularly to:

- discuss the overall strategic direction of SEPA (within the policy and resources framework);
- oversee the delivery of planned results, by monitoring performance against agreed targets;
- ensure that SEPA operates sound environmental policies for its own operations;
- certify that high standards of corporate governance are observed at all times.

### Regional Boards

SEPA also has three Regional Boards, in the north, east and south west, which are each chaired by a member of the Agency Board. A Regional Board is responsible for:

- engaging with stakeholders to gain a better understanding of how SEPA's work is perceived in the region;
- communicating SEPA's strategic and business aims to communities and stakeholders.

They also advise the Agency Board of matters that may affect the effective delivery of SEPA's services in the region.

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