



MOATE

TOWN CENTRE FIRST MASTERPLAN

SEA Screening Report

May 2023

Westmeath County Council

Draft Moate Town Centre First Masterplan

SEA Applicability Screening Report

Reference: 289221-00_DB_RP_0001

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This report takes into account the particular instructions and requirements of our client. It is not intended for and should not be relied upon by any third party and no responsibility is undertaken to any third party.

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1. Introduction

The draft Moate Town Centre First (TCF) Masterplan (referred to hereinafter as the ‘draft MTCFM’ or the ‘draft Masterplan’) is a non-statutory, community level plan produced by Moate’s local Town Team. TCF Town Teams are defined in Town Centre First A Policy Approach for Irish Towns¹ as ‘a group of local residents, business people, community representatives and other stakeholders who come together to make their area a better place to live, work, visit and invest. They represent diverse sectors and backgrounds. They have a unique position in the community to become ‘local experts’ on their area and to take a lead on the development of interventions that can make positive long-term changes for the town.’

The project is being led by Westmeath County Council (referred to hereinafter as ‘WCC’), working alongside the local Town Team, supported by the Town Regeneration Officer and is facilitated by an experienced team of consultants headed by Allies and Morrison.

Arup has been commissioned by WCC to carry out Strategic Environmental Assessment (SEA) Applicability Screening of the draft MTCFM. The Applicability Stage of Screening, with which this report relates is defined as ‘The first and most basic task is to determine if the Plan/Programme (P/P) falls within the scope of the SEA Directive and transposing legislation, and to confirm if it constitutes a P/P that requires mandatory SEA’. Full SEA Screening is defined in the relevant guidance documents as “the 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 thus warrant SEA.”

The purpose of this document is to carry out a screening exercise to determine, in respect of the draft MTCFM, if SEA applies in accordance with the European Directive 2001/42/EC on the Assessment of the Effects of Certain Plans and Programmes on the Environment (“SEA Directive”) as transposed by the European Communities (Environmental Assessment of Certain Plans and Programmes) Regulations 2004 (S.I. 435 of 2004), as amended.

This SEA Applicability Screening Report provides the findings of the SEA screening process for the draft MTCFM.

2. Strategic Environmental Assessment

2.1 Overview

Strategic Environmental Assessment (SEA) is defined as ‘the formal, systematic evaluation of the likely significant environmental effects of implementing a plan or programme before a decision is made to adopt that plan or programme.’ (Department of the Environment, Community and Local Government, 2004).

The SEA process is comprised of the following steps:

- Screening: Decision on whether or not SEA of a Plan or Programme is required. This is the current stage of the SEA process to which this report relates. If it is determined that the SEA Directive applies, then a SEA Screening is completed.

¹ DHLGH, DRCD (2022) Town Centre First A Policy Approach for Irish Towns. Available at: [gov.ie - Town Centre First Policy \(www.gov.ie\)](http://www.gov.ie)

If SEA is considered to be required following Screening, the following steps are required:

- Scoping: Consultation with the defined statutory bodies on the scope and level of detail to be considered in the assessment,
- Environmental Assessment: An assessment of the likely significant impacts on the environment as a result of the Plan or Programme.
- Preparation of an Environmental Report.
- Consultation on the Plan or Programme and associated Environmental Report.
- Evaluation of the submissions and observations made on the Plan or Programme and Environmental Report and
- Issuance of a SEA Statement identifying how environmental considerations and consultation have been integrated into the Final Plan or Programme.

This process is outlined in Figure 2.1.

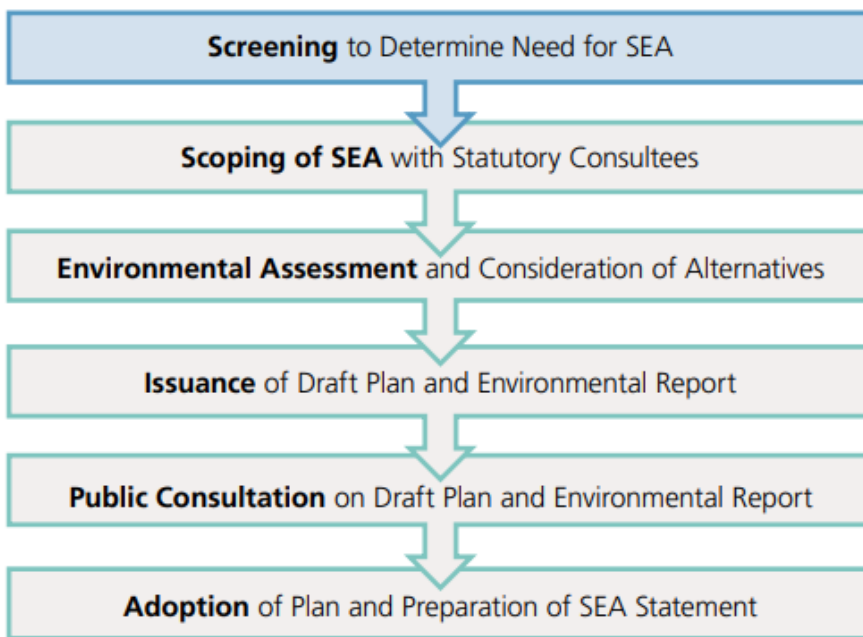


Figure 2.1 Screening in the overall SEA process

SEA is intended to provide the framework for influencing decision-making at an earlier stage when plans and programmes - which give rise to individual projects - are being developed. SEA should result in more sustainable development through the systematic appraisal of policy options.

2.2 Guidance and Legislation

2.2.1 Legislative Overview

The SEA Directive - Directive 2001/42/EC on the Assessment of the Effects of Certain Plans and Programmes on the Environment - requires that an environmental assessment is carried out of certain plans and programmes which are likely to have significant effects on the environment.

The objective of the SEA Directive is *'to provide for a high level of protection of the environment and to contribute to the integration of environmental considerations into the preparation and adoption of plans...with a view to promoting sustainable development'* (Article 1 SEA Directive 2001).

Ireland made the decision to transpose the SEA Directive into Irish law in 2004 through two separate statutory instruments or regulations, one specifically concerning specific listed town and country/land use plans (S.I. 436/2004) and one concerning all other sectors (S.I. 435/2004). The transposing regulations are as follows:

- European Communities (Environmental Assessment of Certain Plans and Programmes) Regulations (S.I. 435/2004); and
- Planning and Development (Strategic Environmental Assessment) Regulations (S.I. 436/2004).

Both pieces of legislation were amended in 2011 through the following amendment regulations:

- European Communities (Environmental Assessment of Certain Plans and Programmes) Amendment Regulations (S.I. 200/2011); and
- Planning and Development (Strategic Environmental Assessment) Amendment Regulations (S.I. 201/2011).

The SEA Directive has also been given effect through other Irish legislation. An example being, the Planning and Development Act [PDA] 2000, as amended, which includes a specific requirement to carry out and facilitate SEA alongside the preparation of the Regional Spatial and Economic Strategies; and the Water Services Act 2007, as amended, requires that: *“The purpose for which this Act is enacted includes giving effect to so much of the following as relates to water services”* - listing specifically Directive 2001/42/EC (EPA, Good Practice Guidance on Screening, 2021).

2.2.2 Guidance Documents

A number of national guidance documents on SEA were reviewed in the preparation of this SEA Screening Report, including:

- Good Practice Guidance on Screening (EPA, Good Practice Guidance on Screening, 2021).
- Development of Strategic Environmental Assessment (SEA) Methodologies for Plans and Programmes in Ireland (EPA, Development of Strategic Environmental Assessment (SEA) Methodologies for Plans and Programmes in Ireland , 2013).
- Implementation of SEA Directive (2001/42/EC): Assessment of the Effects of Certain Plans and Programmes on the Environment- Guidelines for Regional Authorities and Planning Authorities (DEHLG, 2004).
- Implementation of Directive 2001/42 on the Assessment of the Effects of Certain Plans and Programmes on the Environment (European Commission, ND)
- (Draft) SEA Resource Manual for Local and Regional Planning Authorities (EPA, SEA Resource Manual for Local and Regional Planning Authorities , 2013).
- Integrating Climatic Factors into Strategic Environmental Assessment in Ireland - A Guidance Note (EPA, 2019).
- Synthesis Report on Developing A Strategic Environmental Assessment (SEA) Methodologies for Plans and Programmes In Ireland (EPA, 2019).

3. Draft Moate TCF Masterplan

3.1 Legislative Background

As outlined in Section 1, TCF Town Teams are defined as ‘a group of local residents, business people, community representatives and other stakeholders who come together to make their area a better place to live, work, visit and invest. They represent diverse sectors and backgrounds. They have a unique position in the community to become ‘local experts’ on their area and to take a lead on the development of interventions that can make positive long-term changes for the town’. The draft MTCFM a non-statutory community level plan that has been driven by Moate’s local Town Team, supported by the Town Regeneration Officer and a multi-disciplinary technical team in WCC. Key to the success of the Masterplan is the local community and stakeholders who have come together to help shape and implement the Masterplan.

The Masterplan is a non-statutory plan, which has nonetheless been framed within the context of EU, national, regional and local development plan policies. TCF Plans aim to deliver a Town Centre First approach at a local level, regardless of the scale or category of the town. The process of doing so is underpinned by an assessment of the current position of the town, and the development of a plan which provides a vision for the future direction of the town. The vision for the future direction of the town is to be provided within TCF Plans. Refer to Section 3.1.1 - Section 3.1.6 for an outline of the key attributes for this plan-led process and its relevance to statutory spatial plans in Ireland.

3.1.1 Town Centre First Policy 2022

A Town Centre First Policy was launched on the 4th February 2022 which provides a co-ordinated, whole-of-government policy framework to proactively address the decline in the health of towns across Ireland and support measures to regenerate and revitalise them. There is a strong national policy framework in place to support a Town Centre First approach, from the overarching aspect of Project Ireland 2040, through to specific policies on climate action, housing and rural development.

3.1.2 Project Ireland 2040

Project Ireland 2040 acts as the overarching policy and planning framework for the social, economic and cultural development of Ireland and has set out Ireland’s high-level strategic objectives for spatial planning over the period to 2040. The delivery of these objectives under Project Ireland 2040 are supported by the detailed updated capital investment plan, the National Development Plan (NDP) 2021-2030, and the 20-year National Planning Framework (NPF). Project Ireland 2040 relates to the Town Centre First Policy as it recognises that the quality of the urban environment and ‘place’ are key elements of the economic proposition for both urban and or rural regeneration and consolidation while providing a cultural/social core to settlements².

3.1.3 National Planning Framework

The NPF is the Government’s high-level strategic plan to shape the future growth and development of Ireland up to 2040. The NPF frames the development and implementation of regional spatial and economic strategies, county and city development plans and local area plans across the country for the years ahead. The aim of revitalising our towns and urban areas is strongly reflected in the objectives and priorities of the National Planning Framework and many of the National Strategic Outcomes identified in the NPF, including Compact Growth, Sustainable Mobility, Enhanced Amenities Strengthened Rural Economies and Communities and the Transition to a Low Carbon Society, are all closely aligned with a focus on improving our towns and supporting their increased population and employment growth in the future. Development plans provide a statutory development context within which local communities can formulate their local town development initiatives and programmes in responding to the Town Centre First agenda. The Planning Act also requires the preparation of a Local Area Plan (LAPs) for towns with a population of greater than 5,000 people and such LAPs may provide an opportunity to put elements of a TCF strategy onto a statutory footing².

² DHLGH, DRCD (2022) Town Centre First A Policy Approach for Irish Towns. Available at: [gov.ie - Town Centre First Policy \(www.gov.ie\)](http://gov.ie - Town Centre First Policy (www.gov.ie))

3.1.4 The National Development Plan 2021 – 2030

The National Development Plan (NDP) mirrors the national strategic objectives of the NPF and provides specific funding measures to support the compact growth agenda, strengthened rural economies and communities, and sustainable transport. The NDP identifies specific investment vehicles that will support the Town Centre First policy.

3.1.5 Climate Action Plan 2023

Climate Action Plan 2023 is the second annual update to Ireland's Climate Action Plan 2019. This plan is the first to be prepared under the Climate Action and Low Carbon Development (Amendment) Act 2021, and following the introduction, in 2022, of economy-wide carbon budgets and sectoral emissions ceilings. The plan sets a roadmap for taking decisive action to halve Ireland's emissions by 2030 and reach net zero no later than 2050, it also implements the carbon budgets and sectoral emissions ceilings and as Ireland committed to in the Programme for Government³.

The actions committed to in the Climate Action Plan 2023 align and support the regeneration and revitalisation of Ireland's towns, including reduced demand for travel by car, sustaining economic and social activity at street level and increasing access to shops, employment and amenities by sustainable transport modes.

3.1.6 Our Rural Future and Housing for All

Our Rural Future - Rural Development Policy 2021 – 2025 represents the Irish Government's blueprint for the post-COVID recovery and development of rural Ireland over the next five years. It provides the framework to achieve the vision of transforming the quality of life and opportunity for people living in rural areas.

Our Rural Future contains a number of key commitments that deliver on the aim to support the regeneration, repopulation and development of rural towns and villages to contribute to local and national economic recovery, and to enable people to live and work in a high-quality environment.

Housing for All highlights the overall housing growth required each year in the next decade rising from 24,600 in 2022 to some 40,500 by 2030. Housing for All has specific pathways on addressing the vacancy and efficient use of existing housing stock and also the provision of a Town Centre First policy that aligns with the objectives of the NPF. Both *Our Rural Future* and *Housing for All* have reflected the concept of Town Centre First which gives an operational focus to the ambition flowing from the NPF in relation to Ireland's towns and villages⁴.

3.2 Moate TCF Masterplan Overview

The draft MTCFM is a non-statutory community level plan produced for Moate Town, County Westmeath. The MTCFM has been driven by a Town Team, supported by the Town Regeneration Officer and a multi-disciplinary technical team in WCC. Key to the success of the Masterplan is the local community and stakeholders who have come together to help shape and implement the Masterplan.

Guiding principles of the MTCFM include taking account of the Town Centre First policy objectives, where a baseline analysis of the town was undertaken, and feedback was compiled from the local people. After which time, a set of principles were developed to help guide the ideas, actions and strategies for the Masterplan. The guiding principles of the Masterplan are:

- Celebrating and realising Moate's culture and heritage;
- Creating a climate resilient and adaptable Moate;
- Rebalancing Moate's streets and public spaces;

³ Government of Ireland (2022) Climate Action Plan 2023. Available at: [gov.ie - Climate Action Plan 2023 \(www.gov.ie\)](http://gov.ie - Climate Action Plan 2023 (www.gov.ie))

⁴ DHLGH, DRCD (2022) Town Centre First A Policy Approach for Irish Towns. Available at: [gov.ie - Town Centre First Policy \(www.gov.ie\)](http://gov.ie - Town Centre First Policy (www.gov.ie))

- Making sustainable movement an easy choice in Moate; and
- Creating a vibrant and welcoming Moate which supports a range of businesses and community needs.

The emerging themes and a framework plan developed for the Masterplan, identified in response to consultation with local people, research and best practice approach to town centres include:

- Heritage and Identity Plan to set out the opportunities for enhancing and celebrating the historic character, heritage and cultural assets of the town;
- Public Realm and Green Spaces Plan to set opportunities for improvements to existing and formalised new green spaces, public spaces and routes;
- Movement and Connections Plan looks at the strategic road network and also includes ideas for better walking and cycling links, and parking.

The draft MTCFM is drawn from local community and business representatives, with the support of WCC. It will identify challenges, actions and integrated responses across a number of themes, including that of commercial/business, community/cultural, housing, the built environment and heritage aspects of the Town.

The draft MTCFM is action and project-orientated in nature and will assist Moate in accessing funding and investment available for town regeneration across a number of government departments and agencies. The draft MTCFM acts as a long-term vision document for how the area can grow and develop.

3.3 Plan Area

Moate is a small rural town located in the south-west of Westmeath, that covers an area of approximately 21.4km². WCC is the responsible local authority for the area. Refer to Figure 3.2 for Moate’s location.

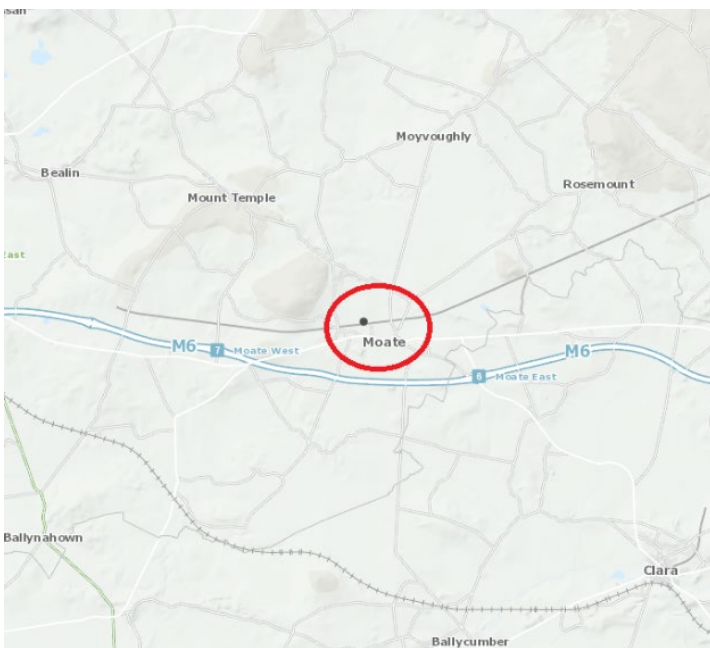


Figure 3.1 Moate - circled in red | Not to scale Source: ⁵ (OSI, 2023)

⁵ Ordnance Survey Ireland (OSI) (2023). Moate, County Westmeath. Available at: [GeoHive Map Viewer](#)

4. SEA Screening Methodology

4.1 Overview

The procedure broadly follows the SEA Decision Tree adapted from the research report Development of Strategic Environmental Assessment (SEA) Methodologies for Plans and Programmes (P/P) in Ireland (Scott and Marsden, 2001), the adaptation of such is shown in Figure 4.2 below.

According to the EPA guidance, the screening process comprises three principal stages:

1. Applicability
2. Screening
3. Determination

The guidance states that the overall characteristics of the plan or programme should first be considered, by means of Stage 1 ‘Applicability’ check to see if it falls within the requirements of the SEA Directive.

Should this Stage 1 Applicability check determine that the plan or programme is of a type that falls within the requirements of the SEA Directive, the potential environmental significance of implementing the proposed plan or programme should then be considered, against the significance criteria outlined in Annex II (2) of the SEA Directive (Stage 2 ‘Screening’).

EPA guidance for the Screening process is outlined in Figure 4.1.

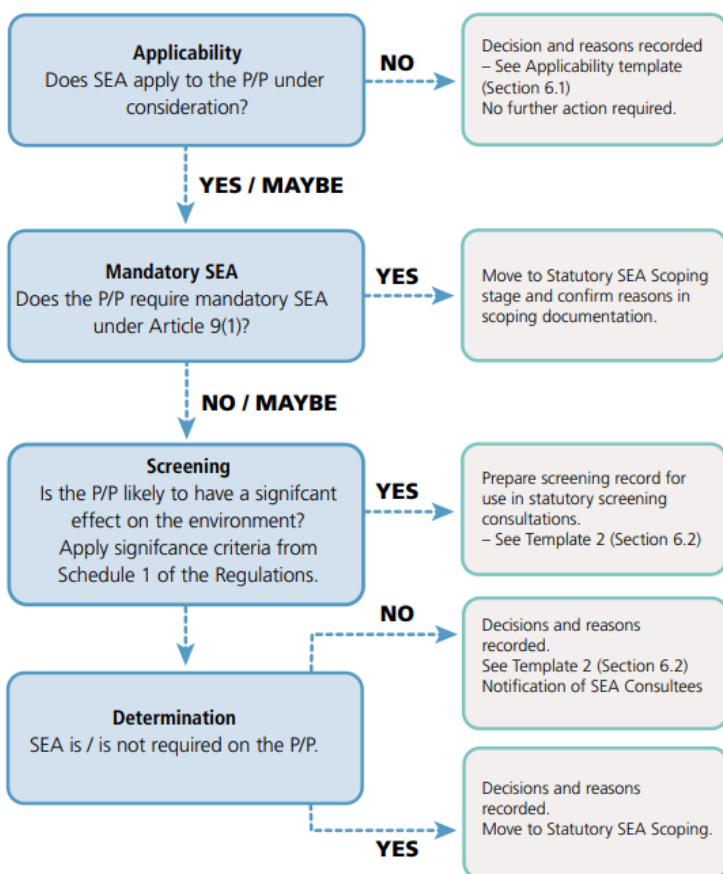


Figure 4.1 SEA Screening Process under S.I. 435/2004, as amended Source: (EPA, Good Practice Guidance on Screening, 2021)

Regard was also had to the SEA Decision Tree adapted from the research report Development of Strategic Environmental Assessment (SEA) Methodologies for Plans and Programmes in Ireland (Scott, 2001), the adaptation of such is shown in Figure 4.2.

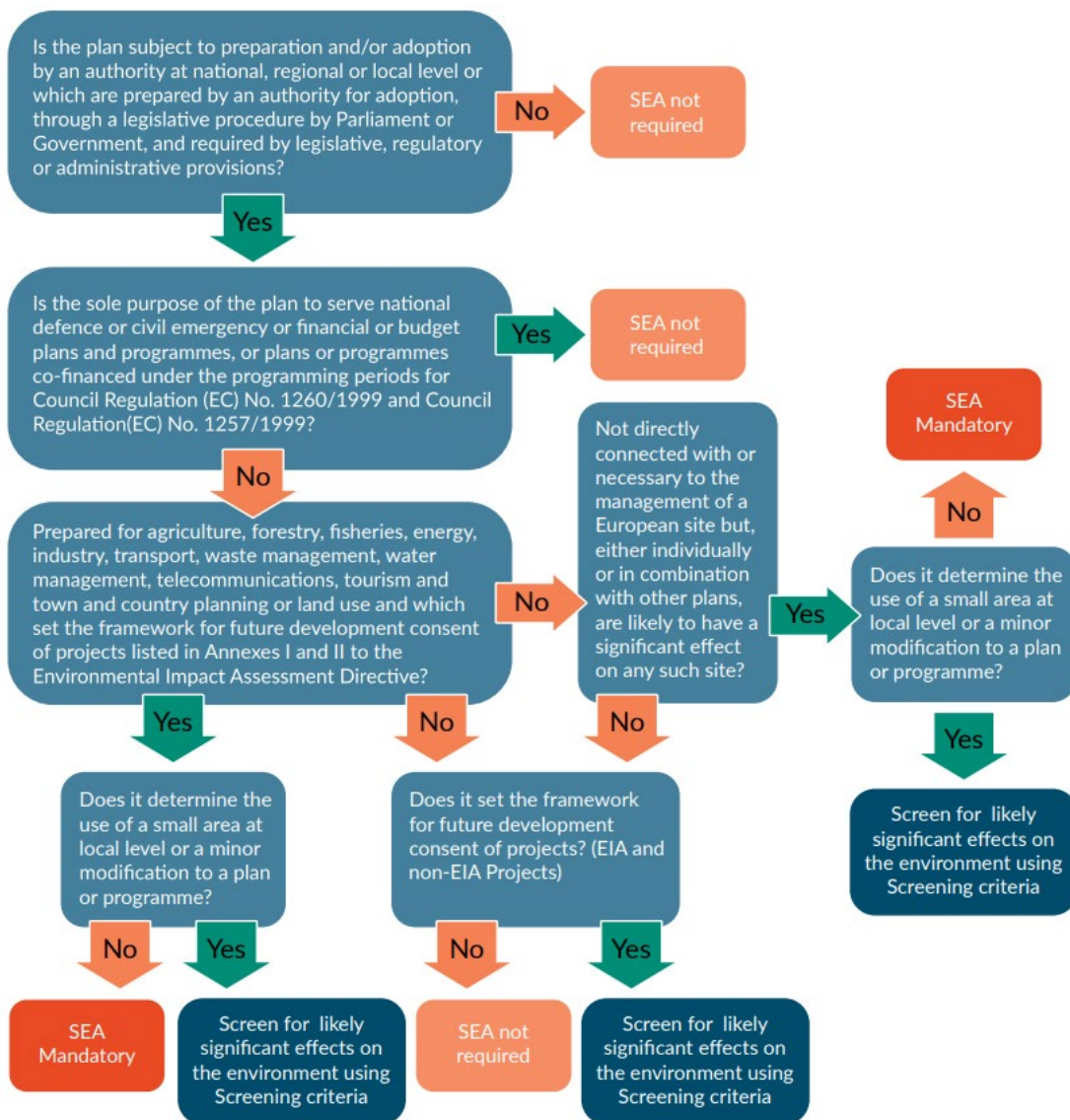


Figure 4.2 SEA Decision Tree adapted from the research report Development of Strategic Environmental Assessment (SEA) Methodologies for Plans and Programmes in Ireland Source: (Scott, 2001)

4.2 Stage 1 ‘Applicability’

The Applicability Stage of Screening consists of a four-step process. As outlined in Table 4.1 below:

Table 4.1 Stage 1 ‘Applicability’ Steps Source: (EPA, Good Practice Guidance on Screening, 2021)

Step 1:	Establish the status of the plan or programme-making body Is the P/P prepared and/or adopted by an authority at national, regional or local level or prepared by an authority for adoption through a legislative procedure by Parliament or Government?
Step 2:	Establish the nature of the plan or programme Is the P/P required by legislative, regulatory, or administrative provisions?
Step 3:	Check the plan or programme is not exempt Is the sole purpose of the P/P for national defence, civil emergency or finance / budget?
Step 4:	Check if the plan or programme requires mandatory SEA Is the P/P prepared for agriculture, forestry, fisheries, energy, industry, transport, waste management, water management, telecoms, tourism, town and country planning or land use and does the P/P set the framework for future development consent of projects listed in the Annexes of the EIA Directive; or Will the P/P require assessment under Art. 6 or 7 of the EU Habitats Directive?

There are three possible outcomes following Stage 1 Applicability Screening:

- **The SEA Directive does not apply** - The P/P is not of a type which falls within the remit of the SEA Directive / SEA Regulations. It is recommended as good practice to keep a note of the deliberations alongside the P/P on the relevant website, alongside the AA screening determination. There is no requirement to notify the environmental authorities.
- **The SEA Directive does apply** - The P/P is of a type which falls within the remit of the SEA Directive / SEA Regulations and requires mandatory SEA. Proceed to SEA Scoping and statutory consultation with the designated environmental authorities. The Screening outcome should be confirmed within the SEA Scoping Report.
- **The SEA Directive may apply** - The P/P may be within the remit of the SEA Directive as either it relates to use of a small area at local level or minor modifications to a relevant P/P, it is a P/P which may set the framework for future development consent even though not listed as a P/P type, or there is uncertainty in relation to any of the provisions considered at the Applicability Stage, and so a case-by-case determination will be required. Proceed to Stage 2 Screening.

An Applicability Screening template (‘**Template 1**’) is provided in the EPA guidance document and is utilised in Section 5.1 of this SEA Screening Report.

4.3 Stage 2 ‘Screening’

Stage 2 consists of determining, on a case-by-case basis, if SEA is required for a Plan or Programme which has characteristics that may give rise to significant effects or for which there is uncertainty on key characteristics. Although an SEA Screening Report is not a mandatory requirement in the legislation it has become embedded good practice and is the recommended approach in this guidance note.

The Screening Stage consists of a four-step process, outlined in Table 4.2, as set out in the EPA’s Good Practice Guidance on SEA Screening Report.

Table 4.2 Summarised Stage 2 ‘Screening’ Steps Source: (EPA, Good Practice Guidance on Screening, 2021)

Step 5:	Describe the characteristics of the P/P and the receiving environment including any environmental problems.
Step 6:	Identify the potential for significant environmental effects
Step 7:	Statutory consultation with Designated Environmental Authorities
Step 8:	Draft Determination

Stage 2 of the SEA Screening methodology consists of an environmental significance screening, which may be undertaken to assess whether a plan or programme, which has not been screened out by the ‘Applicability Stage’, is likely to result in significant environmental effects and should therefore, be taken forward for SEA.

An SEA Screening template (‘Template 2’) is provided in the EPA’s Good Practice Guidance on SEA Screening Report.

Annex II of the SEA Directive sets out the “statutory” criteria that should be addressed when undertaking the ‘Screening Stage’. Annex II of the SEA Directive is transposed into national legislation as Schedule 1 ‘Criteria for determining whether a Plan or Programme (or Modification thereto) is likely to have significant effects on the Environment’ of the European Communities (Environmental Assessment of Certain Plans and Programmes) Regulations 2004, as amended.

The ‘Significance Criteria’ and sub-criteria are outlined below.

“Criteria for determining whether a Plan or Programme (or Modification thereto) is likely to have significant effects on the Environment.

4. The characteristics of the plan or programme, or modification to a plan or programme, having regard, in particular, to:

- *the degree to which the plan or programme, or modification to a plan or programme, sets a framework for projects and other activities, either with regard to the location, nature, size and operating conditions or by allocating resources;*
- *the degree to which the plan or programme, or modification to a plan or programme, influences other plans including those in a hierarchy;*
- *the relevance of the plan or programme, or modification to a plan or programme, for the integration of environmental considerations in particular with a view to promoting sustainable development;*
- *environmental problems relevant to the plan or programme, or modification to a plan or programme;*
- *the relevance of the plan or programme, or modification to a plan or programme, for the implementation of European Union legislation on the environment (e.g. plans and programmes linked to waste management or water protection).*

5. Characteristics of the effects and of the area likely to be affected, having regard, in particular, to

- *the probability, duration, frequency and reversibility of the effects;*
- *the cumulative nature of the effects;*
- *the transboundary nature of the effects;*
- *the risks to human health or the environment (e.g. due to accidents);*
- *the magnitude and spatial extent of the effects (geographical area and size of the population likely to be affected);*
- *the value and vulnerability of the area likely to be affected due to:*
 - *special natural characteristics or cultural heritage;*

- exceeded environmental quality standards or limit values;
- intensive land-use.

the effects on areas or landscapes which have a recognised national, European Union or international protection status.”

4.4 Stage 3 ‘Determination’

As soon as practicable after making the final determination as to whether SEA is required or not, the plan maker should make a copy of the decision, including, as appropriate, the reasons for requiring or not requiring an environmental assessment, available for public inspection at the P/P offices and on the website.

The P/P maker should also send a copy of the final determination to the relevant SEA environmental authorities notified during screening. This determination should stay linked to the P/P or modification on the website to ensure transparency and provide important information on decision making during the lifetime of the P/P or if any modifications are made.

5. SEA Screening

5.1 Stage 1 – SEA ‘Applicability’

As outlined in Section 4.2, Stage 1 ‘Applicability’ of the SEA Screening methodology constitutes the use of Template 1, based upon the relevant Applicability steps. Template 1 is reproduced as Table 5.1.

Table 5.1 Stage 1 ‘Applicability’ of SEA Screening Source: (EPA, Good Practice Guidance on Screening, 2021)

General Details	
Type and title of P/P:	Draft Moate Town Centre First Masterplan
Name of P/P Maker:	WCC
Date:	2023
Step 1 of the Applicability Screening	<p>Status of P/P maker</p> <p>Is the P/P prepared and/or adopted by an authority at national, regional or local level or prepared by an authority for adoption through a legislative procedure by Parliament or Government?</p> <p>Yes.</p> <p>The draft MTCFM is being led by WCC, WCC is the Local Authority for County Westmeath. WCC are working alongside Moates Town Team of local people and the draft MTCFM is being facilitated by an experienced team of consultants headed by Allies and Morrison.</p> <p>A competent authority for the purpose of SEA is defined under S.I. No. 435 of 2004 as <i>“the authority which is, or the authorities which are jointly, responsible for the preparation of a plan or programme, or modification to a plan or programme”</i>.</p> <p>As such, the draft MTCFM can be considered a document prepared and/or adopted by ‘an authority’ at a local level.</p> <p>Is the P/P required by legislative, regulatory, or administrative provisions?</p> <p>No.</p> <p>According to the EPA Guidance, the term <i>“required by legislative, regulatory or administrative provisions”</i> means that <i>“there is something by way of formal provision which could be said to govern or regulate the production of the P/P”</i>. The requirement for SEA covers P/P that are subject to formal approval procedures, not only those where there is a specific legal requirement for these to be developed and adopted.</p>

General Details	
Type and title of P/P:	Draft Moate Town Centre First Masterplan
Name of P/P Maker:	WCC
Date:	2023
	The guiding principles for the draft MTCFM take into account the objectives of the Town Centre Policy, particularly within the development of principles to guide ideas, actions and strategies for the Masterplan. However, the draft MTCFM is not a statutory document and thus, is not considered to be required under legislative, regulatory, or administrative provisions.

5.2 Outcome of ‘Stage 1 Applicability’

Following the ‘Stage 1 Applicability’ outcome and having regard to the SEA Decision Tree shown in Figure 4.2 above, it was determined that the SEA Directive does not apply to the draft MTCFM in Step 1 of ‘Stage 1 Applicability’.

6. Conclusion

As outlined in Section 5.2, it is concluded that the SEA Directive does not apply to the Plan following Step 1 of ‘Applicability Stage 1’. While the Plan is prepared by a local authority, the Plan is not considered to be required by legislative, regulatory, or administrative provisions, as outlined in Section 5.1.

7. References

- EPA. (2003). Synthesis Report on Developing A Strategic Environmental Assessment (SEA) Methodologies for Plans and Programmes In Ireland. EPA.
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