

**Aircraft Noise Competent Authority (ANCA)  
Fingal County Council**



An tÚdarás Inniúil um  
Thorann Aerárthaí  
Aircraft Noise  
Competent Authority

## **RECORD OF CHIEF EXECUTIVE'S ORDER**

### **Strategic Environmental Assessment (SEA) Scoping Report under:**

**The European Communities (Environmental Assessment of Certain Plans and Programmes) Regulations  
2004 (the "Regulations of 2004")**

In relation to:

**the proposed defining of a Noise Abatement Objective for Dublin Airport pursuant to Section 9(2)(a) of the Aircraft Noise (Dublin Airport) Act 2019 (NAO) and making of a regulatory decision pursuant to 34C(14)(a) of the Planning and Development Act of 2000, relating to Planning Application F20A/0668 (a Regulatory Decision), by the Aircraft Noise Competent Authority (ANCA).**

Chief Executive Order ref. ANCA/004/2021 dated 15<sup>th</sup> April 2021, ordered:

- A Determination, pursuant to Article 9(2) of the Regulations of 2004, that the defining of the Noise Abatement Objective and the making of the Regulatory Decision are likely to have significant effects on the environment requiring Strategic Environmental Assessment;
- The preparation of a draft environmental report pursuant to Article 10 of the Regulations of 2004;
- Consultation with the Environmental Authorities in accordance with Article 11 of the Regulations of 2004;
- Consultation with the Environmental Authorities and members of the public in accordance with Article 13 of the Regulations of 2004 at the same time as it carries out the consultations required by Section 34C(10) to (14) of the Act 2019 with regard to the draft Regulatory Decision and underlying report.

Accordingly, ANCA gave notice to the prescribed Environmental Authorities on 6<sup>th</sup> May 2021, pursuant to Article 11(1) of the Regulations of 2004. Subsequently, two submissions were received, the contents of which are summarised and addressed in the attached Scoping Report dated 25<sup>th</sup> June 2021.

### **RECOMMENDATION**

Having regard to relevant legislation and guidance, including the following:

- The Regulations of 2004, and in particular the criteria set out in Schedule 2 to those Regulations;
- Directive 2001/42/EC, and in particular the provisions of Recital 15;
- Act of 2000, and in particular Section 34C of that Act;

- Act of 2019, and in particular Section 9 of that Act;
- SEA Scoping Report dated 25<sup>th</sup> June 2021, attached as Appendix A;

I recommend that ANCA adopts the SEA Scoping Report dated 25<sup>th</sup> June 2021, attached as Appendix A, as a statement of the proposed scope of the environmental report to be prepared pursuant to Article 10 of the Regulations of 2004 having had regard to the consultation with the prescribed environmental authorities in accordance with Article 11 of the Regulations of 2004.

I am satisfied that such an Order is consistent with the SEA scoping process described in the EPA's SEA Pack (2008 & updated 2020). The SEA Process Checklist (EPA, 2008) has been completed to demonstrate how the SEA Scoping Report dated 25<sup>th</sup> June 2021 takes account of the Checklist recommendations as follows:

#### SEA Scoping Checklist

	Question	Response
2.1	Were the designated environmental authorities consulted when deciding on the scope of the information to be included in the Environmental Report?	The Scoping Report was made available for consultation by the Environmental Authorities for a period of 4 weeks, from 7 <sup>th</sup> May until 4 <sup>th</sup> June 2021.
2.2	Does the proposed scope of the report cover all the relevant information in accordance with Annex 1 of the SEA Directive and all of the points in Schedule 2 and Schedule 2B of S.I. 435 and S.I. 436? If not, have reasons for eliminating issues from further consideration been documented?	Annex I of the SEA Directive and Schedule 2 of S.I. 435 of 2004 specify the information that is to be provided in the Environmental Report; this will be carried out at the next stage of the SEA Process.
2.3	Has informal preliminary scoping taken place with the designated authorities prior to the commencement of the P/P making process?	No.
2.4	Have scoping meetings/workshops been held with (a) any of the designated environmental authorities, (b) relevant internal departments within the organisation and (c) other relevant statutory and non-statutory organisations?	Yes. There has been consultation between the Planning Authority and the Aircraft Noise Competent Authority under section 34C(2) of the 2019 Act.

2.5	Where appropriate, if the zone of influence extends beyond the plan boundary, has transboundary notification and consultation been undertaken with other Member States & adjoining authorities on the scope of the SEA?	The Zone of Influence encompasses the of counties of Fingal, Dublin, Kildare and Meath. These authorities have not been consulted on the scope of the SEA. No impacts on the territories of other Member States have been identified.
2.6	As part of the scoping exercise, have the designated authorities been given an outline of: <ol style="list-style-type: none"> <li>the geographical area involved (including a referenced and scaled map of the area)</li> <li>the nature of the plan and its intended lifespan</li> <li>the likely scale, nature and location of development within the area during the life of the plan (in broad terms)</li> <li>the predicted significant effects of this development</li> </ol>	This information has been provided to the Environmental Authorities through the following chapters of the Scoping Report: <ol style="list-style-type: none"> <li>Chapter 2 provides detail on the geographic location;</li> <li>Chapter 2 provides detail on the nature of the plan, however the lifespan of the plan is currently unknown at this stage;</li> <li>Chapters 2 and 3 provide high level information on the proposals within the Plan and within other plans of relevance to the area;</li> <li>Chapter 5 provides information on the possible environmental impacts of the Plan.</li> </ol>
2.7	Has a Scoping Report been prepared which clearly highlights key environmental resources, zone of influence of the P/P, alternatives, key existing environmental issues/problems and likely significant environmental effects of the P/P?	The Scoping Report provides this information in the following locations: <ul style="list-style-type: none"> <li>Chapter 2 – alternatives;</li> <li>Chapter 4 – key environmental resources, zone of influence of the P/P, key existing environmental issues/problems;</li> <li>Chapter 5 – likely significant environmental effects of the P/P.</li> </ul>
2.8	Does the scoping report reflect the size/level of detail in the P/P?	Yes.



2.9	Does the scoping report provide the designated authorities with sufficient information to form a view on the likely significant effects of implementation of the P/P?	Yes.
2.10	Has a Scoping Issues Paper (for land use plans) been prepared to facilitate consultation? Have the environmental issues raised in the Issues paper been appropriately addressed in the scoping report?	N/A – given the limited scope and geographical extent of the plan.
2.11	Have the public and other interested bodies been identified and consulted at the scoping stage?	No. Wider consultation with the public and other interested bodies will occur at the SEA Draft Environmental Report stage, alongside consultation on the Plan.
2.12	Have the teams responsible for the preparation of the P/P and the ER been involved in the scoping exercise?	Yes, the teams have worked closely together from the start of the process.
2.13	Have the responses to the scoping exercises been included in the Scoping Report?	Yes, these are included as Appendices 1 and 2 to the Scoping Report.
2.14	Has the Scoping Report been made public?	Yes. The Scoping report will be made public as an appendix to the Chief Executive's Order adopting the SEA Scoping Report.
2.15	Where an appropriate assessment is required and will be undertaken in conjunction with the SEA, have any environmental problems, indicators or other issues relevant to the assessment been identified, that need to be considered during the SEA process?	Though separate processes, screening for appropriate assessment is being undertaken broadly concurrently to SEA Scoping, and by the same Consultant team. Information used in once process will support that used in the other. This particularly relates to the potential impact of aircraft noise on designated nature conservation sites.



Joe Mahon

Senior Engineer

**ORDER:**

For the reasons set out in the foregoing recommendation of the Senior Engineer, I hereby order the adoption of the SEA Scoping Report dated 25<sup>th</sup> June 2021, attached as Appendix A, as a statement of the proposed scope of the environmental report to be prepared pursuant to Article 10 of the Regulations of 2004, having had regard to the consultation with the prescribed environmental authorities in accordance with Article 11 of the Regulations of 2004 in relation to:

1. the proposed defining of a Noise Abatement Objective for Dublin Airport pursuant to Section 9(2)(a) of the Aircraft Noise (Dublin Airport) Act 2019 and
2. the making of a regulatory decision pursuant to 34C(14)(a) of the Planning and Development Act of 2000, relating to Planning Application F20A/0668.

Signed



Ethna Felten  
Director of Service

Date

30.6.2021

**thereunto empowered by order of the Chief Executive,  
Fingal County Council C.E. No 7926 delegating to me  
all her powers, functions and duties in relation to the  
Council of the County of Fingal in respect of this  
matter.**

## APPENDIX A

### Strategic Environmental Assessment - Scoping Report