

# GRANGEMOUTH Flood Protection Scheme

Protecting the heart of our communities



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## **Acronyms and abbreviations**

**HRA** Habitats Regulations Appraisal

**The Scheme** Grangemouth Flood Protection Scheme

**SPA** Special Protection Areas

SAC Special Areas of Conservation

**GFPS** Grangemouth Flood Protection Scheme

**SEPA** Scottish Environment Protection Agency

**SNCB** Statutory Nature Conservation Body

**CA** Competent Authority

AA Appropriate Assessment



### 1. Introduction

The Grangemouth Flood Protection Scheme (GFPS) hereinafter referred to as 'the scheme,' is the largest flood defence project in Scotland and one of the biggest in the United Kingdom. It aims to protect the communities of Grangemouth, Wholeflats, Glensburgh, Langlees, Carron, Carronshore and Camelon (Stirling Road) across The Scheme area.

Falkirk Council is developing the scheme, which will benefit 2,760 residential properties, 6,025 people, 1,200 non-residential properties and 23km of roads.

The Council made a preliminary decision to confirm the Scheme without modification at the Executive Committee meeting on 23 January 2025. Scottish Ministers notified the Council on 27 March 2025 that they will not be 'calling in' the Scheme (which would have led to Scottish Ministers holding a Public Local Inquiry). The matter has now been referred back to the Council to hold a hearing to consider the Scheme prior to making a final decision. The Scheme documents are available here: <a href="https://www.grangemouthfloodscheme.com/scheme-documents">https://www.grangemouthfloodscheme.com/scheme-documents</a>.

Following the Ministers' decision, the Council will require to make a final decision on the Scheme. In doing so, as a local authority the Council constitutes a "competent authority" (CA) under the Conservation (Natural Habitats, &c.) Regulations 1994 (the 'Habitats Regulations'), and therefore any final determination in respect of the Scheme must comply with obligations under the Habitats Regulations.

The Council will now appoint an independent reporter ("the Reporter") to conduct the hearing and issue a Report. Once the hearing has been held and a report submitted to the Council by the Reporter, it will then be presented to the appropriate Committee of the Council for consideration and a final determination.

As part of the process to reach a Final Decision on the Grangemouth Flood Protection Scheme (GFPS), Falkirk Council must, under the Habitats Regulations, carry out an assessment to understand whether the Scheme will, or will be likely to have, any adverse effects on certain sites and species that are given additional protections under law. These sites are known as "Special Protection Areas" or "SPAs" (which are designated for certain bird species) and "Special Areas of Conservation" or "SACs" (which are designated for other protected flora and fauna). This process is referred to as a Habitats Regulations Appraisal (HRA). This HRA will also be presented to the appropriate Committee of the Council for consideration.

Falkirk Council aimed to seek feedback from the public on the HRA carried out to date to inform its final decision. The Scheme had prepared an HRA report which will be used to inform the final assessment known as an 'Appropriate Assessment' (AA). The Council wished to obtain feedback from members of the public on this HRA report, together with any other comments on the process followed under the Habitats Regulations. To obtain this feedback, Falkirk Council asked a few survey questions regarding this report and provided an opportunity for general feedback. This will help the Council progress to the final decision on the Scheme. Falkirk Council are also consulting separately with NatureScot on the HRA report and the process under the Habitats Regulations.



#### 1.1 Purpose of the engagement

Under the Conservation (Natural Habitats, &c.) Regulations 1994 (the Habitats Regulations), Falkirk Council, as the decision-maker in respect of the Scheme, must ensure that an assessment of the likelihood of any significant effects from the Scheme on protected sites or species has been carried out and that provision for any compensatory measures has been secured for any adverse effects. This engagement is part of a process in the Habitats Regulations. The purpose of the engagement is to inform and gauge opinions of the public and those affected by the scheme.

This survey focused on the information prepared to support Falkirk Council's assessment of impacts from the Scheme on certain protected sites under the HRA. The purpose of the survey was to seek public opinion on the findings of the assessment and the interim conclusions which have been reached. It focused on:

- 1. The Screening Conclusion, which refers to the decision by the Council on which protected sites and species to consider further in its assessment.
- 2. The potential for any adverse effects from the Scheme on those protected sites and species, primarily on the Firth of Forth / Loch Leven Special Protected Area (SPA);
- 3. The mitigation measures proposed; and
- 4. The conclusion that an adverse impact on the site integrity of the Firth of Forth / Loch Leven SPA cannot be ruled out.

The opportunity to provide any other comments or feedback on the HRA was also provided.

We are seeking public opinion prior to a formal consultation with NatureScot. Consultation with NatureScot is a legal requirement under the Habitats Regulations as they are the relevant Statutory Nature Conservation Body (SNCB).

#### 1.2 Reason for engaging

As a Council and decision-maker for the Scheme and also the "competent authority" (CA) in respect of the HRA, it was important to engage the public on this report as the HRA did not form part of the suite of documents that were published with the scheme in May 2024, as this is not a requirement under the Flood Risk Management (Scotland) Act 2009.

The HRA report will not be amended further following this engagement. However, feedback from this survey will be included within the formal consultation with NatureScot. This engagement was for the HRA only and any outcome of the engagement will not result in changes to the proposed scheme, although it will inform the Council's final decision.

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## 2. Participate Plus (P+)

To engage with the public, the project team used the Participate Plus (P+) platform - <u>Participate+ Falkirk</u>. The platform has been designed to be inclusive, participatory and responsive whilst collecting and managing public data and community intelligence to inform decision-making. This replaces Citizen Space, the Council's survey tool which has now been decommissioned.

The platform requires at least 3 stages for a project, for the purpose of this engagement the following titles were chosen – Engagement and Survey > Analysis > Feedback.

Engagement and Survey - will be in the form of a survey.

Analysis - conducted by the project team and if beneficial will use the platform's Al function to identify trends in responses.

Feedback - a report will be produced from the responses and will be published on the platform and website and shared on social media. For those who request a paper copy or an email copy of the feedback report this will be completed manually by the project team.

Equalities questions have been incorporated within all Participate Plus projects. These appear at the end of the survey and are clearly labeled optional.

HRA documents were available to view on Participate Plus at the time of the engagement and will remain on the platform until the end of the Feedback stage of the engagement. These can also be found on the scheme website where they will remain until a final decision on the scheme has been made. <a href="https://www.grangemouthfloodscheme.com/hra">https://www.grangemouthfloodscheme.com/hra</a>

#### 2.1 Timelines

#### 2.1.1 Engagement and Survey

The Engagement and Survey stage was hosted on the Participate Plus platform from Monday 25 August – Sunday 5 October. This stage provided users with access to the HRA to answer survey questions in relation to the HRA report.

#### 2.1.2 Analysis

The Analysis stage was scheduled to run from Monday 5 October – Monday 20 October.

#### 2.1.3 Feedback

This stage was scheduled to be public on Tuesday 21 October – 31 October.



### 3. Promotion and Communications

To raise awareness, the engagement was advertised on the project's social media, through email and posters (Appendix B) were distributed in both Falkirk and Grangemouth Libraries.

#### 3.1 Social media

Social media posts were incorporated into the existing social media plan, posts were scheduled for once a week on the HRA alongside the usual once a week post (including weather updates and links to the Scheme website). Two posts with different text were repeated during the Engagement and Survey stage, these posts were sometimes edited to reflect the current timeline of this stage. The two planned Social Media Posts are available in Appendix A.

#### 3.2 Emails

The engagement was shared via email inviting people to participate. Those who received an email included key stakeholders such as: Elected Members, MPs and MSPs, Community Councils, Statutory Bodies, Fisheries groups, Local Authorities interfacing the SPA and objectors to the Scheme.

#### 3.3 Posters

Posters (Appendix B) were advertised in Falkirk and Grangemouth Libraries. The poster featured a QR code link to Participate plus while also offering an opportunity to fill out a paper copy of the survey available at each library. This avoided any issues with digital exclusion.



## 4. Survey and Feedback

The Survey asked 5 questions including one asking for any feedback or comments on the HRA or the survey. All questions were answered anonymously. A copy of the survey questions can be viewed in Appendix C (not inclusive of the Equalities questions).

In total 11 users subscribed to the Participate plus engagement and 8 participants

completed the survey. No responses were received in a paper form.

Engagement on this survey was low. This was likely due to the complexity of the HRA process/ report. The nature of this information being presented meant this was very difficult to summarise without losing the intention and content therefore the full documents were provided. The survey questions did, however, refer to relevant sections of the HRA. This optional engagement was not statutory and provided members of the public with an opportunity to feedback, if they wished to do so. The engagement was well advertised in line with other Council surveys hosted on the platform.

#### 4.1 Feedback Analysis

#### 4.1.1 Participants Type and Profile

Two questions are a requirement of the Participate Plus Platform - 'Connection to Falkirk' and 'Place of Residence'.

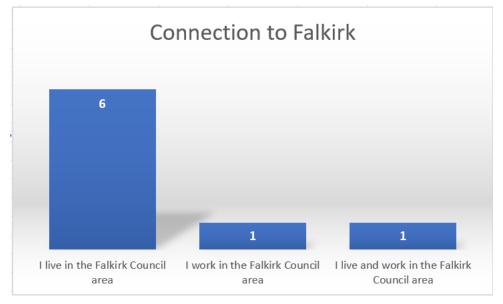


Figure 1 - Connection to Falkirk

Figure 1 shows that the majority of respondents (75%) live in the Falkirk area. Other responses included 12.5% 'I work in the Falkirk area' and 12.5% 'I live and work in the Falkirk area'.



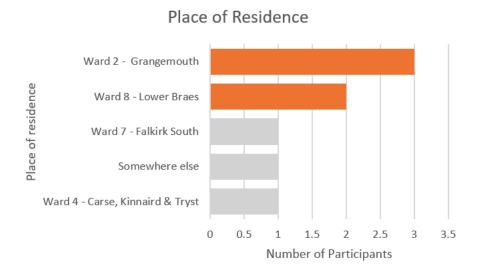


Figure 2 – Place of Residence

As shown in Figure 2 the majority of participants (37.5%) reside in Ward 2 Grangemouth and Ward 8 Lower Braes (25%). All other participants reside in Ward 7 Falkirk South (12.5%), Ward 4 Carse, Kinnaird & Tryst (12.5%) or Somewhere else (12.5%).

#### 4.1.2 HRA questions

**Question 1** asked respondents if they agree with the Council's screening conclusion that a Habitats Regulations Appraisal was needed for the impacts of the Grangemouth Flood Protection Scheme.

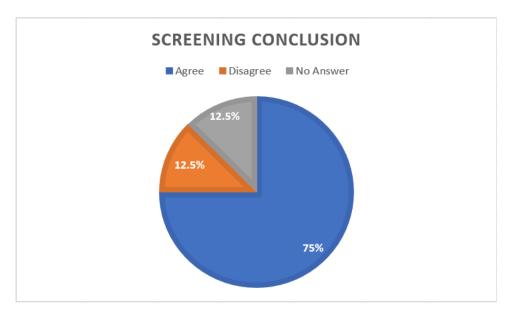


Figure 3 - Screening Conclusion

Shown in Figure 3, 75% of respondents (6 participants) 'Agreed' with the screening conclusion, 12.5% (1 participant) 'Disagreed' and 12.5% (1 participant) did not respond to the question.



**Question 2** asked participants if they feel they have a clear understanding of the potential impacts the Grangemouth Flood Protection Scheme might have on the Firth of Forth / Loch Leven SPA.

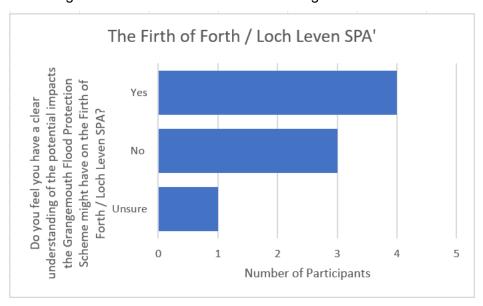


Figure 4 - Firth of Forth/ Loch Leven SPA

Figure 4 shows 50% of participants responded 'Yes', while 37.5% responded 'No' and 12.5% responded 'Unsure'.

**Question 3** asked how clear the information provided is about how any negative impacts on the Firth of Forth / Loch Leven SPA will be avoided, reduced or mitigated.

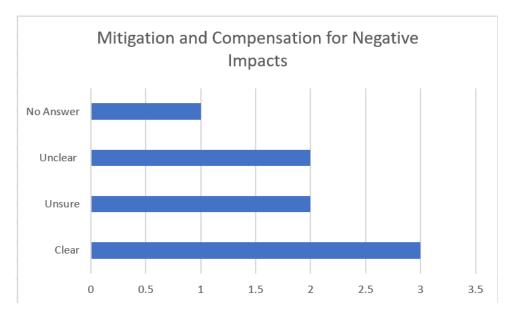


Figure 5 - Mitigation and Compensation for Negative Impacts

In total 37.5% of respondents found the information 'Clear', 25% of respondents were 'Unsure', 25% of respondents found it 'Unclear' and 12.5% did not respond to the question.



**Question 4** asked respondents if they agree with the conclusions of the HRA and if they agree that an adverse effect on the Firth of Forth / Loch Leven SPA cannot be ruled out and that compensatory measures are needed.

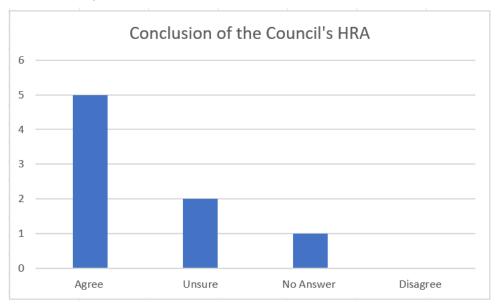


Figure 6 - Conclusion of the Council's HRA

Shown in Figure 6, 62.5% of respondents stated they 'Agree' with the Council's conclusion of the HRA, 25% were 'Unsure', 12.5% did not respond and no responses 'Disagreed'.

**Question 5** asked participants to share any other comments, questions or feedback. In total, 4 of 8 participants (50%) responded to this question.

Two respondents expressed concerns with the way in which the Council engaged the HRA stating;

"This is too complex a project to review by a survey. I have no idea what is involved but don't want to read screeds of documents Bulley points are required."

"As RSPB Scotland, we are disappointed that we weren't more involved in the plans for mitigation and compensation. We have been working closely in this area for over 20 years, including in partnership with Falkirk Council. Our Skinflats Reserve sits immediately adjacent to the proposed development. As a result, we have a lot of experience that we had hoped would be drawn upon. Instead of this, whilst there was some engagement with us, at no point did it feel as if our views were being taken into account. Throughout the consultation process, it was largely us pushing to engage with the Council and consultants, rather than them seeking to work with us. Most of our suggestions for improving the quality and level of mitigation and compensation seem to have been ignored and we are very disappointed with the what is being put forward."

#### Other respondents provided comments on the report's focus on Bird Populations stating;

"There is not one single mention in the report on how the destruction of natural habitat will affect bat populations, numerous other categories of mammal or amphibian species. Surely we are not just interested in solely protecting birds? The report is therefore wholly inadequate."

"There should be a habitat and biodiversity audit done in the flood protection area prior to delivery phase"



The Council will take into consideration all comments and feedback received from this engagement as it proceeds to take a final decision.

### 5. Next Steps

Following a screening exercise, it was concluded that the Council could not rule out that the Scheme would have a likely significant effect on the national site network. Accordingly, under reg. 48(1) of the Habitats Regulations, the Council must undertake an appropriate assessment prior to issuing a final decision on the Scheme. In accordance with the regulations, the Council must consult with NatureScot, as the appropriate nature conservation body, for the purposes of this assessment and have regard to any representations made.

Feedback from this survey will be fed into the formal consultation which will shape the final Appropriate Assessment and will be presented to the appropriate Committee of the Council for consideration.



## **Appendix A**

September 2025	Join the Engagement! #grangemouthfps
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The GFPS team are asking you to engage on the Habitats Regulation Appraisal (HRA). Find out more information about the engagement on Participate Plus <u>Project:</u>
<u>Grangemouth Flood Protection Scheme - HRA Engag... | Participate+</u>.

Fill in the survey before Sunday 5 October

Pick up a paper copy at Grangemouth Library or Falkirk Library

Have you seen our engagement on Participate Plus? The GFPS team are inviting people to engage on the Habitats Regulation Appraisal (HRA). More details can be found on Participate Plus <a href="Project: Grangemouth Flood Protection Scheme - HRA Engag...">Project: Grangemouth Flood Protection Scheme - HRA Engag...</a> Participate+



## Appendix B



## Grangemouth Flood Protection Scheme HRA Engagement

Please provide your feedback on the HRA engagement on Participate Plus!

> Take the survey by <u>5th October 2025</u> https://participateplus.falkirk.gov.uk/ Or scan the QR Code below!



To reach a final decision on the Grangemouth Flood Protection Scheme (GFPS), Falkirk Council will carry out an assessment to determine whether the scheme may have an impact on legally protected sites and species. We are asking a few survey questions on this.

This process is referred to as a <u>Habitats Regulations Appraisal</u> (HRA) under the Conservation (Natural Habitats, &c.) Regulations 1994.

Questions? contact GFPS on Email: grangemouthfps@falkirk.gov.uk or Call the contact centre 01324 506070 Need an alternative format? Paper copies are available at Grangemouth and Falkirk libraries.

FALKIRK COUNCIL

For more information and to receive regular updates on the scheme

www.grangemouthfloodscheme.com

Facebook @grangemouthfps Twitter @grangemouthfps



## **Appendix C**

#### **Survey Questions**

#### 1.Screening Conclusion (optional)

This question refers to the first step of the Council's Habitats Regulations Appraisal, which is the 'Screening process'. This process looked at how the different phases of the Scheme (such as construction or operation) could potentially interact with certain sites known as "Special Protection Areas" (SPA) or "Special Areas of Conservation" (SAC). SPAs and SACs are sites that are designated under the Habitats Regulations for the protection of species and/or habitats.

Where the Council considered that the Scheme might have a likely significant effect on a protected site, or where any potential for a significant effect could not be definitively ruled out, that protected site was 'screened in' for a more detailed assessment in the Council's HRA.

"The screening process has already been completed, as it was the first step necessary tocomplete the HRA. The process followed, and the outcome of screening, is set out in pages 21-45 of the Council's HRA.

Question 1: Do you agree with the Council's screening conclusion that a Habitats Regulations Appraisal was needed for the impacts of the Grangemouth Flood Protection Scheme?

*Only choose one option
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Agree

Disagree

Unsure

#### 2.The Firth of Forth / Loch Leven SPA (optional)

This section of questions refers to the second step of the Council's HRA, which is the detailed assessment of the nature and extent of any impacts that the Scheme might have on those protected sites that were screened-in for assessment. It is captured in pages 46-109 of the Council's HRA. This information has been provided to inform the final assessment that Falkirk Council must carry out under the Habitats Regulations when reaching a final decision on the Scheme.

This detailed assessment concluded that, of the sites screened-in for assessment, the Firth of Forth / Loch Leven SPA was the primary site that was likely to be significantly affected by the Scheme. As a result, this site was a key focus of the HRA (see pages 70-78).

Question 2: Do you feel you have a clear understanding of the potential impacts the Grangemouth Flood Protection Scheme might have on the Firth of Forth / Loch Leven SPA?

*Only c	hoose	one	option.
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Yes

No

Unsure



#### 3.Mitigation and Compensation for Negative Impacts (optional)

As part of the second step of the Council's HRA, detail is provided on 'mitigation measures' that will be taken to reduce any adverse impacts that the Scheme may have on the Firth of Forth /Loch Leven SPA. This is set out in pages 79-108 of the HRA.

Question 3: How clear is the information provided about how any negative impacts on the Firth of Forth / Loch Leven SPA will be avoided, reduced or mitigated?

Firth of Forth / Loch Leven SPA will be avoided, reduced or mitigated?	
*Only choose one option.	
Clear	

Olcai

Unclear

Unsure

#### 4.Conclusion of the Council's HRA (optional)

The HRA for the Scheme concludes that, even taking into account the mitigation measures proposed, there still remains a low risk of an adverse effect on the integrity of the Firth of Forth /Loch Leven SPA. If the Council agrees with this conclusion when taking a final decision on the Scheme and is satisfied the Scheme can still be approved under the Habitats Regulations, it will need to ensure compensatory measures are delivered. This conclusion is set out at page 109 of the HRA.

Question 4: Do you agree with the conclusions of the HRA? In particular, do you agree that an adverse effect on the Firth of Forth / Loch Leven SPA cannot be ruled out and that compensatory measures are needed?

\*Only choose one option.

Agree

Disagree

Unsure

#### **Feedback**

## 5.Question 5: Do you have any other comments, questions or feedback you would like to share? (optional)

We welcome any further questions or comments you may have about the Habitats Regulations Assessment process that the Council has followed or any of the conclusions that have been reached regarding the effects of the Scheme on protected sites and species.

If you require more space to respond please contact us at grangemouthfps@falkirk.gov.uk