

Appropriate Assessment (AA) Screening Determination under the EU's Habitats Directive 92/43/EEC Article 6(3) as transposed into Irish law under Regulation 42(1) of the European Communities (Birds and Natural Habitats) Regulations 2011 (S.I. No. 477/2011), as amended

for the

Kilkenny Local Authority Biodiversity Action Plan 2025-2030.

Kilkenny County Council has prepared a Local Authority Biodiversity Action Plan (LABAP) for the Kilkenny functional area.

A Screening Determination for the need for Appropriate Assessment (AA) has been made by the Council in respect of the LABAP in accordance with the requirements of Article 6(3) of the Directive 92/43/EEC (Habitats Directives) and Regulation 42(11) of the European Communities (Birds and Natural Habitats) Regulations 2011 (as amended).

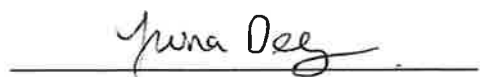
Following assessment and having regard to the nature of the LABAP and the potential for likely significant environmental effects associated with the LABAP, Kilkenny County Council has determined, beyond reasonable scientific doubt, in view of best scientific knowledge, on the basis of objective information, that the plan, individually or in combination with other plans and projects, is not likely to have a significant effect on European sites. The principal reasons for this are as follows:

- The LABAP does not introduce any source of impacts that have potential for interactions with the receiving environment.
- All actions in the LABAP are aimed at protecting and enhancing biodiversity. There is no requirement to integrate further environmental considerations into the LABAP given its intrinsic nature, its stated aims and objectives, and the potential positive effects associated with its actions.
- The LABAP is in alignment with nature legislation and higher order policy such as the 4th National Biodiversity Action Plan and inter-related plans and programmes.
- The actions in the LABAP do not support intensive land use or development projects sitting outside the land use planning framework that can cause likely significant negative environmental effects.
- The LABAP is not a statutory land use plan. The LABAP will not in and of itself set the context for future development consent. Any lower-order plans and projects supported by plan shall be subject to Appropriate Assessment Screening, where necessary, in accordance with the requirements of European Communities (Birds and Natural Habitats) Regulations 2011 (as amended) or the Planning and Development Act 2000 (as amended), as the case may be.

This determination has been reached following consideration of the information contained in an AA Screening Report for the LABAP. The AA screening process has considered potential effects which may arise during all phases of plan implementation.

Taking account of the above, it is determined that full AA is not required to be undertaken for the LABAP.

Signed by:



Fiona Deegan, A/Director of Services
Director of Services - Integration,
Emergency Service and Culture

Date: 8 - 5 - 2025