



## Agency Board Meeting 28 April 2015

Board Report Number: SEPA 13/15

### Chief Executive's Report

<b>Summary:</b>	This paper highlights areas of environmental achievement and concern, enforcement action, and major partnership activities, as well as business related issues in respect of corporate performance and activity, since the Board meeting on 24 February, 2015.
<b>Risks:</b>	N/A
<b>Financial Implications:</b>	N/A
<b>Staffing Implications:</b>	N/A
<b>Environmental and Carbon Impact:</b>	N/A
<b>Purpose of the report:</b>	For information
<b>Report Author:</b>	James Curran, Chief Executive Terry A'Hearn, Chief Executive Margaret McLean, Personal Assistant
<b>Appendices:</b>	None

**Chief Executive's Report****INTRODUCTION**

Uniquely, this report to the Agency Board is presented by two Chief Executives: James Curran who left the Agency on 12 April and Terry A'Hearn who arrived on 13 April.

**James Curran writes:**

I was born in Kelvindale, which to the unknowing sounds idyllic, lying in the rolling plain between the confluence of the River Kelvin and the River Clyde. No doubt it was – in times long past. The Bishops of Glasgow apparently had their palace there, surrounded by farms and orchards.

But when I was young, my mother took me on our favourite walk, down the hill and across the canal, still working then of course, across the railway line with its thundering steam engines if you were lucky, and then on past the railway station and into the darkening Dickensian landscape of the banks of the Kelvin itself, smoking and steaming with the roar and the clang of bleach, paper, chemicals, gas, tar and dye works.

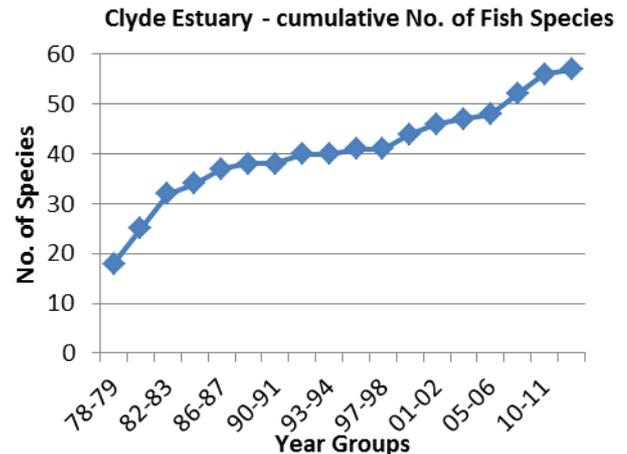
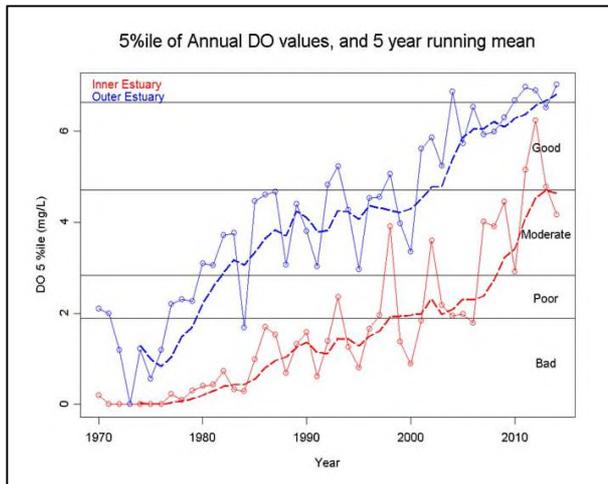
Later, I went to school overlooking the river itself. On winter mornings, peering over the parapet of Kelvinbridge through the gritty, sulphurous smog, you could see below the slow syrup-swirl of the poisoned river, turning often from grey-green to red-brown as the sumps were opened in the dye works further up the valley. Maybe that seems a long time ago - but not to me.

That river is linked forever with the greatest scientist and engineer of his day, while the Clyde is famed throughout the world for industry, for building, and for shaping the world we live in today. It was Lord Kelvin who originated the dictum: "what gets measured gets done" and it was his contemporary, the Glasgow scientist Angus Smith who began to measure the scale and the effects of pollution. Angus Smith was appointed the world's first environmental regulator as he set about building the evidence for controlling the excesses of industrial pollution.

But 100 years later, the two rivers, each associated with different aspects of man's ingenuity, nevertheless remained united in their poisoned state, virtually lifeless, used as drains and forgotten of those sunlit orchards.

One of my first jobs was at the Clyde River Purification Board, taken on in 1978 to build and run a computer model of the state of the River Clyde and its estuary. Then it was I got even closer to the black, gassing waters of the Broomielaw, taking measurements through the night as iron ore ships churned up the sediments and the sewage flowed silently out to sea. It smelt. It had atmosphere, but not that you'd want to breathe.

So many dedicated scientists, regulators, engineers, some of them friends and colleagues, funded by a lot of public money, have worked hard over 50 years to bring those rivers back to life. In the plot below you can see that in the mid-1970s, there was no oxygen at all in the Clyde estuary during warm and dry weather in the summer months. Almost nothing could live. Nowadays the water remains oxygenated at all times. The number of recorded fish species living in the estuary has increased over those decades from fewer than 20 to around 60. Salmon returned to the Clyde in 1984 and to the Kelvin a few years later, having been absent since around 1900.



People now live beside and visit the estuary, there are smart offices, regattas, hotels and museums, a media quarter, auditorium and exhibition centre – all attracting billions of investment.

This is just a snapshot of the work SEPA and its predecessors have done, using science, measuring and gathering evidence, getting things done, changing cultures and expectations, improving communities' wellbeing. Bringing life back to our rivers and life back to our riverbanks – generating sustainable economic growth.

I have always wanted to do useful things in life. I can't think of more useful, more fulfilling and more enjoyable work than I've been privileged to undertake in SEPA. Thank you for giving me that opportunity.

I know SEPA will continue to provide and further develop its unique public service, preventing unscrupulous businesses exploiting the environment and risking human health, and encouraging Scotland on its path to sustainability.

#### **Terry A'Hearn writes:**

James has described the abysmal state of the River Kelvin and the River Clyde in Scotland in the 1960s and 1970s.

My home state of Victoria set up the world's second stand-alone EPA in 1970 for similar reasons. Many of the state's rivers were heavily polluted, in particular the Maribyrnong River which runs through Melbourne's industrial heartland and was effectively a toxic sewer in the early 1970s. Smog was so bad that pilots were writing to the Premier of Victoria saying that they were having trouble seeing the runways at Melbourne's international airport.

The improvements that James reported in the Rivers Kelvin and Clyde are similarly reflected in the remarkable improvement in water quality in Melbourne's Maribyrnong River. When I was a boy growing up in that part of Melbourne, people pretended they didn't live close to the Maribyrnong River. It was an embarrassment. It is now a major community asset for

Melburnians in that part of the city. Melbourne's air quality is now dramatically improved even though the city has doubled in population from two million to four million people.

These stories reflect well on the great work carried out by EPAs and their predecessor organisations in Scotland, Victoria and in many places around the world over the past forty to fifty years.

The challenge for a modern EPA is now very different.

Examples of these problems of gross pollution still exist as this Chief Executive's Report illustrates with its description of cases of waste crime and industrial pollution which we are tackling.

Added to this is the even more fundamental challenge of the over-use of resources that has become a key to much of the world's and Scotland's economic and social success. The problem is that this very success creates systemic threats to our economic and social viability because they are out of sync with our environmental system.

Some EPAs around the world 'get this'; many don't.

SEPA is clearly in the first camp.

This was made clear to me during the recruitment process for the Chief Executive role in all the material that was provided to candidates about SEPA's vision and the change process it has been on for several years. We know we have to retain the skills and capacities that drive out poor environmental performance that clearly breaches regulatory standards – the bread and butter of an EPA's success. We also know we have to keep building new tools and harness the power of the Regulatory Reform Act so we are equipped to play our role in the more comprehensive environmental challenges of the 21<sup>st</sup> Century.

In interacting with SEPA before joining and during my first week as Chief Executive, I have been impressed with the appetite for tackling this challenge. I have already heard lots of interesting ideas for how we can build on the success of our first twenty years and develop and add some new ways of delivering environmental outcomes.

My initial focus is on meeting with and talking to Board members, staff, customers and stakeholders to develop a sound understanding of the key challenges we face and, in particular, the key decisions we need to make to ensure SEPA can deliver against our new general purpose and aspirations for high performance.

Finally, I want to acknowledge the major contribution that James made to improving Scotland's environment during his long career and also express my appreciation for the generous support that he has provided to me to help prepare me for the role.

## 1. The Environment

### Hydrology/Water

#### 1.1 Flood event on 6-8 March 2015, Highland

Persistent rain and snowmelt on Friday 6 and Saturday 7 March led to a significant rise in river and loch levels in northern and central Scotland, notably in the Ness, Conon, Beaully and upper Spey catchments, with these rivers peaking on Sunday 8 March. This flood event was well forecast through the Flood Guidance Statement, and Flood Alerts were also issued to raise awareness of possible flooding impacts before river levels began to rise.

On Sunday 8 March at the peak of this event, SEPA had 41 Flood Warnings in force, the majority of these in the Highlands. SEPA's Flood Warning Duty Officers were in regular contact with Scottish and Southern Energy, as many large reservoirs were spilling, which impacted on flows downstream.

At Cluanie Inn and CoilleMhorgil in the Ness catchment, 48 hour rainfall totals of 200mm and 176mm were recorded, although much of the rise in river and loch levels can be attributed to snowmelt as a result of rising temperatures and strong winds. This was the largest flood event in 25 years in the Ness, Beaully and Conon catchments, with several gauging stations recorded the highest levels on record. SEPA's gauging station at Ness-side recorded the second highest level on record (record since 1972), only surpassed by the flood event in



1989 which led to destruction of the railway bridge in Inverness. During the event, North West Area Hydrometry Team were able to complete the highest ever gaugings at Invertruim and at Boat of Garten, and the second highest gauging to date at Ness-side.

Flooding and landslides led to numerous road closures across the north of Scotland and eight residents at Lovat Bridge Caravan Park on the River Beaully were evacuated as caravans and cars were flooded. In Inverness, individual properties were affected by flooding and footpaths and recreational areas including Whin Park were flooded. As a result of widespread flooding of low lying fields and agricultural land, livestock losses were reported in several areas.

##### 1.1.1 Complaint to Scottish Public Services Ombudsman rejected

There has recently been a complaint made to the Scottish Public Services Ombudsman in respect of flood risk advice provided by SEPA to the Planning Authority following the submission of a planning application. SEPA 'objected in principle' to the application due to concern about flood risk. This complaint has not been taken forward by the complaints reviewer, who highlighted that there was "no maladministration" in this case and that SEPA is entitled to provide such advice. Ultimately the decision on any planning application where SEPA provided advice as a statutory consultee is taken by the Planning Authority, and the complainant has the option to appeal to that decision as part of the planning process.

##### 1.1.2 Flood damage, upper Caledonian Canal, near Fort Augustus

Following significant rainfall events in early March 2015, a section of the Caledonian Canal collapsed, releasing water into the adjacent river. The loss of water from the canal resulted in a significant drop in the levels both of Loch Oich, which feeds the canal, and the River

Oich between the loch outlet and the breach in the canal bank. SEPA liaised with Scottish Canals and the local District Salmon Fishery Board to monitor and assess any impacts on the stretch of river affected. Repairs to the canal bank will entail major engineering works. The local team will maintain engagement with Scottish Canals to ensure requirements of CAR are addressed, and that appropriate mitigation measures are adopted in conjunction with any repair work.

### **1.1.3 Distillery Stakeholders Meeting**

SEPA chaired a Distillery Stakeholders Meeting in Elgin on March 10 which was called to discuss Pot Ale production and use. Following complaints in relation to Paragraph 7 exemptions on the spreading of pot ale, SEPA reminded stakeholders of their obligation under the Duty of Care with Paragraph 7 exemptions. The meeting was attended by representatives from the Distillery, Transport, Environment and Agricultural Consultancies. We plan for this meeting to become a regular forum for a useful exchange of information between the Speyside Distillery sector and SEPA.

### **1.1.4 Selkirk Flood Protection Scheme**

Work has now started on this high profile scheme which involves significant input from SEPA. Completion of the scheme will bring long term flood protection to a large number of properties in the town.

### **1.1.5 Water Environment Fund (WEF)**

£2.5m of Scottish Government grant funding was spent in 2014/15 on scoping, design and ground works to achieve environmental improvements to the physical water environment.

Partnerships between SEPA and local authorities are taking forward two large urban projects; the Tollcross Burn in Glasgow and Lyne Burn in Dunfermline. These projects will deliver improvements to water bodies which are heavily constrained by urban development and will provide positive areas of open space and amenity to the local residents. WEF funding has played a significant role in levering in other funds to enable the delivery of a range of multiple benefits.

Since February 2015, a number of WEF funded projects have been completed. These include improvements to the morphology (physical condition) of 1.5km of the Balmaleedy Burn, Aberdeenshire and the removal of two barriers on the River Dee catchment, opening up 15km to migratory fish. Scoping studies have been completed to assess potential for easing fish passage over barriers on the Midlothian Esk and the Avon water, and to investigate improvements to the physical condition on Rivers Lunan, Bervie and Aberarder. The fund has also contributed to Scotland's invasive non-native species programme, which has successfully completed another year of eradication and control, managed by the Rivers and Fisheries Trusts Scotland.

WEF Unit is currently supporting 45 morphology and fish barrier projects throughout the country, in various stages of development.

## **1.2 Planning, Advice and Engagement**

### **Dragon's Tooth planning application**

A planning application has recently been determined by the Highland Council Planning Committee. The proposal was for camping pods, located on the floodplain of a high energy watercourse at Ballachulish, on the Dragon's Tooth golf-course. SEPA had sought the site to be relocated out of the high flood-risk location. This was not acceptable to the applicant, who proposed mitigation measures including chaining the pods down to rock to prevent their being washed away. Despite objections from SEPA and the Highland Council's own flood team, and an officer recommendation for refusal, elected members voted by a majority to approve the application. The application has raised questions of how to improve understanding of flood risk within Planning Committees.

## 1.3 Environmental Strategy

### 1.3.1 Sustainability Assessment Tool

Building on an initial sustainability process commissioned by James Curran nine years ago, Environmental Strategy have been developing a Sustainability Assessment Tool (SAT) for application to strategic decisions and policies. The development of a way of demonstrating that we have taken wider sustainability aspects into account in our decision-making fits well with our new purpose and associated statutory guidance. This assessment tool was presented to the March AMT where it was very well received. It was agreed to continue to develop it through a four month live trial with policies and decisions that are currently being prepared for management teams approval. The tool helps the authors of management papers to take account of the sustainability consequences of their proposal in a transparent, consistent and robust manner. The trialling will further refine the tool and associated guidance, ready to launch in the autumn.

## 2. Waste

### 2.1 Fly Complaints, Oran Environmental Services, Abbotsinch, Grangemouth

SEPA has recently issued a further enforcement notice as a result of non-compliance issues. SEPA also met with the local MSP regarding concerns from local residents about operational activities at the site.

#### 2.1.2 Sewage Sludge issues, East Region

SEPA recently met with MSPs in relation to the storage and spreading of sewage sludge at various locations across East Region. SEPA also took part in a multi-agency meeting with Standalane and Avonbridge Community Council regarding sewage sludge treatment and storage in the local area.

## 2.2 Pollution, Prevention, Control (PPC)

### 2.2.1 Unconventional Oil and Gas Developments

On 28 January, Fergus Ewing MSP, Minister for Business, Energy and Tourism, announced a moratorium on granting consents for unconventional oil and gas developments (specifically coal bed methane and shale oil and gas) in Scotland. This includes a direction to SEPA 'to refer to them for their determination any application under the Regulations for an authorisation, to carry on any controlled activity in connection with unconventional oil or gas development'. A similar direction has been given to local planning authorities.

This Scottish moratorium is related to ALL activities associated with unconventional gas extraction and is therefore different to the previous UK wide<sup>1</sup> and current Welsh moratoria<sup>2</sup>, as these both confined their scope to the technique of hydraulic fracturing, or 'fracking'. This moratorium will be in place while the Scottish Government completes a public consultation, public health impact assessment, strengthens planning and environmental regulation on unconventional oil and gas extraction activities.

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<sup>1</sup> The UK government imposed the fracking moratorium in November 2011. On December 13, 2012, Edward Davey, secretary of the UK Department of Energy & Climate Change (DECC), announced that exploration for shale gas using fracking could resume, subject to new controls to prevent seismic risks.

<sup>2</sup> On 4 February 2015 the Welsh Assembly voted in favour of a Plaid Cymru motion during a plenary debate on Fracking. On 27 February 2015 the UK Government announced the outcome of the St David's Day process, including that onshore oil and gas licensing should be devolved to Wales. This will require new primary legislation and the date of implementation will be decided by the next UK Government.

Last month DECC announced that, in principal, they would consider not allocating further Petroleum and Exploration and Development Licences (PEDL), Licences which give operators rights to the resource in Scotland, as proposed in the 14th PEDL round to take on board the Smith Commission findings.

### **2.2.2 Dounreay - Site Inspection Work and Radioactive Substances Act (RSA) Compliance**

Following the fire that occurred in the Sodium Tank farm last October, SEPA issued a Notice of Variation to the RSA Authorisation, requiring Dounreay Site Restoration Limited (DSRL) to undertake a range of improvements relating to the design and testing of temporary containment and ventilation systems, and the management and supervision of decommissioning activities, DSRL has completed the improvements by the required deadlines to date. DSRL is required to complete the various improvements between 1 March and 1 June 2015. SEPA will carry out inspection of the improvements.

In March, SEPA undertook an inspection of the beach monitoring programme, the outcome of which is that DSRL is compliant with the relevant conditions of the RSA authorisation. In addition, several areas of good practice were observed regarding work being undertaken by Nuvia and DSRL.

### **2.2.3 New Low Level Radioactive Waste Facility (LLW)**

Following receipt of updated documents from DSRL, SEPA undertook consideration of DSRL's readiness to begin facility operations. SEPA concludes it is content for DSRL to accumulate and dispose of LLW in Phase 1 of the facility. This agreement is subject to a number of conditions relating to specific radionuclides within the inventory and DSRL validating the effectiveness of the packaging grouting process.

### **2.2.4 Électricité de France (EDF)**

In February, SEPA attended a meeting of EDF's Strategic Radwaste Steering Committee, where early planning for the eventual decommissioning of Hunterston B was discussed.

### **2.2.5 Dalgety Bay**

SEPA attended the Project Board meeting on 11 March, where it was agreed further stakeholder workshops would be held by Defence Infrastructure Organisation (DIO) throughout 2015, as the detailed design of the remediation scheme develops.

SEPA attended the Fife Council SW Area Committee meeting and The Dalgety Bay Community Council meeting to provide an update.

### **2.2.6 Former Kinloss Airfield**

SEPA has undertaken further monitoring on an area of the former RAF Kinloss airfield which is now open for public access. The work supplemented the monitoring work undertaken 18 months ago, which identified buried radium contamination on the site which, in its current use, does not pose a significant hazard to the public. The supplementary work focused on an area to the south of the known contaminated area where the land owner wishes to carry out minor works. A full report will be available in early May 2015. However, in its current land use there remain no radioactive hazards which pose a significant risk to the public using the area.

### **2.2.7 Industry Liaison**

In March, SEPA hosted the bi-annual industry forum for non-nuclear industry radioactivity users in Scotland representing industries such as oil and gas, medicine and research. In April SEPA will attend meetings of the UK Nuclear Industries Liaison group, which we co-chair, and the MoD's regulatory liaison group.

### 3. Partnership working

#### 3.1 Scottish engagement

##### SNIFFER Flood Risk Management (FRM) conference

Over 200 FRM professionals attended the 10th annual SNIFFER conference on Tuesday 3 and Wednesday 4 February at Our Dynamic Earth in Edinburgh. Among the 50 speakers, six colleagues from SEPA presented on FRM Planning, FRM and the River Basin Management Plan pilot projects, flood risk and climate change adaptation indicators, surface water flood forecasting for the Commonwealth Games and advances in our coastal flood forecasting capability.

In addition to our speakers, SEPA was credited for contributing to the work of others through the provision of data, information and expert advice. The conference was a great success and the progress SEPA is making in establishing our FRM role and building effective partnerships was well recognised.

The conference programme, presentations and more information is available from the SNIFFER [website](#).

##### 3.1.1 Inverclyde flooding stakeholder event

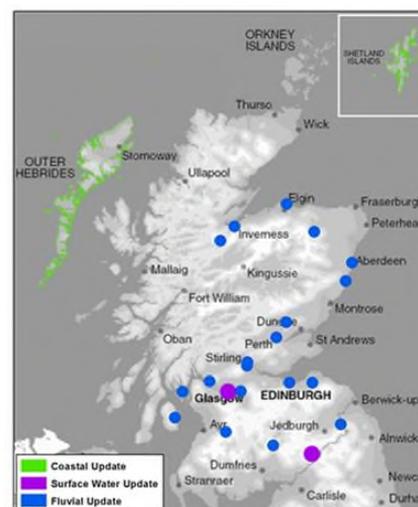
On Friday 20 February, Duncan McNeil MSP chaired an event hosted at the RBS Mortgage centre in Greenock to discuss the roles of organisations and consider flooding issues in Inverclyde. The meeting brought together flood risk management stakeholders with the purpose of ensuring that the responsible authorities and partners were doing all they could to manage flood risk in Inverclyde and, in particular, in Greenock. Key issues included the regular flooding of main transport links from local watercourses and the significant disruption this has to commuters and businesses in the area. The three largest employers in Greenock are RBS Mortgage Centre, EE and CIGNA Healthcare who between them employ 2,000 people.

David Faichney of SEPA's Flood Unit provided the group with a presentation on the FRM Planning process in Scotland, SEPA's role and linked this to the local FRM Planning activities. Other speakers represented Inverclyde Council, Scottish Water, Transport Scotland and Network Rail. Having the relevant partners available to explain their role and activities gave confidence to those present that flood risk in Inverclyde was being addressed through the framework provided by the FRM Act.

##### 3.1.2 Flood maps release

A new release of the SEPA flood maps took place on Tuesday 3 March. The maps were first published in January 2014 and marked a key milestone in the delivery of the FRM Act, superseding the Indicative River and Coastal Flood Map and the culmination of months of partnership working between SEPA, local authorities and Scottish Water.

Changes have been made in some areas (shown on the map, right) to the river, coastal and surface water flood hazard data. Flood risk information has also been updated to account for the changes in flood hazard data. The publication of the updated maps coincided with changes to the scale the maps can be viewed at. The changes improve the overall user experience without enhancing the ability to identify individual properties.



### **3.1.3 National Community Safety Convention**

On 3 March Stewart Prodger from SEPA's Flood Unit attended the annual National Community Safety Convention, hosted in Glasgow by the Scottish Community Safety Network, which brings together leaders and practitioners across this field.

Participating in workshops on Building Safer Communities, Community Empowerment and Engaging Communities alongside organisations like Police Scotland, Scottish Fire and Rescue, local authorities and NGOs provided SEPA with two significant benefits: to become more aware of best practice elsewhere; and an opportunity to identify and explore potential partnership opportunities for flood risk community engagement.

### **3.1.4 Shared Media Management arrangement with Scottish Natural Heritage**

On 3 March, SEPA and SNH started on a temporary shared service arrangement to manage the SNH media desk whilst the Media Manager is on secondment. Debbie Storm will manage the SNH media team simultaneously with her responsibilities for SEPA's media desk. This arrangement is due to last until September 2016 but progress will be reviewed as the arrangement progresses.

### **3.1.5 Metal Theft Operation**

The Hebrides and Central Highland and North Highland teams worked jointly with Police Scotland and British Transport Police in a Metal Theft Operation in Inverness, Invergordon and Caithness, mainly focused on scrap yards. SEPA's role was mainly advisory; with the Police leading on ensuring sites had the relevant Metal Dealer licenses and paperwork in place, as a baseline for future site inspections.

### **3.1.6 Highlands & Islands Forestry Industry Cluster presentation, ICT Stadium, Inverness**

SEPA presented its key findings from the current Forestry Harms project to 120 forestry contractors and Company staff at the Highlands and Islands Forestry Industry Cluster [HIFIC] meeting in Inverness. Examples of good management practices were shown and discussed in depth on how to reduce diffuse pollution from all forestry related activities using accepted techniques to comply with the Forest & Water Guidelines, and by default SEPA's General Binding Rules. Good feedback was received on the talks and the event has raised several key issues which SEPA will aim to raise directly with Forestry Commission Scotland in relation to site drainage management in particular.

This workshop forms part of a national SEPA effort to attend similar events across Scotland, to obtain a fuller picture of the state of the forestry sector in relation to diffuse pollution. The project findings are currently being compiled for the end of project report due by March 31 2015.

### **3.1.7 Investing in Our Young People Event**

A North Highland team officer attended an event led by Caithness Chamber of Commerce. Entitled "Investing in Our Young People", the event focused on the recommendations which were published last year, of the led by Sir Ian Wood. Attendees of the event heard presentations from businesses, High Schools and North Highland College UHI on measures most likely to enhance employer engagement with schools and colleges. Scottish Government's Hugh McAloon spoke of the desire to create regional networks of industry-led groups to take this forward. It was agreed that a proposal should be brought together, based on North Highland College's catchment area to be led by Caithness Chamber of Commerce, in time to submit to the National Invest in Young People Group during the summer.

### **3.1.8 NetRegs**

The new self-assessment tool is now live on the website, offering businesses the opportunity to do a check up on their compliance with the main areas of regulation.

We have now had over 3,000 views of our good practice videos, and record numbers visiting the NetRegs website, with regularly over 26,000 hits per month.

### 3.1.9 VIBES

A number of awareness raising events for the Vision in Business for the Environment of Scotland (VIBES) Awards have been held ahead of the launch events in May. This has included joint events with Resource Efficient Scotland and with Robert Gordon University. Case studies have been developed for each of the 2014 winners and these have been posted on the VIBES website. Video case studies from each of the VIBES winners are being finalised and will be available as a package of support to businesses on examples of environmental excellence.

### 3.1.10 Engagement with Scottish Government Ministerial Visit

On Monday 2 March, the Minister for the Environment, Climate Change and Land Reform, Dr Aileen McLeod, visited our Whitefriars office in Perth to meet staff and find out more about our flood forecasting and warning abilities. Representatives from SEPA including Chief Executive James Curran, Chairman David Sigsworth and Deputy Chair Bob Downes were present along with Met Office staff. A number of brief presentations and an interactive demonstration of the Scottish Flood Forecasting Service were given to introduce the Minister to our work. This was followed by a Q&A session.



## 3.2 National engagement

### 3.2.1 Scotland's Environment Web International Event

SEPA has recently organised a very successful conference in Edinburgh on behalf of the Scotland's Environment Web (LIFE) project (13th March) – attended by over 80 delegates and web streamed to more remote viewers. Presentations in the morning session focussed on reporting on the State of Environment – at European and Scottish level, with guest speakers from the European Environment Agency (Paul McAleavey and Cathy McGuire) and the Scottish SoE Editorial Group (Nathan Critchlow Watton, SEPA). Following an introduction to the Scotland's Environment Web (LIFE) Project, more focussed workshops were held in the afternoon on key features of Scotland's Environment Web, including Open Data, Spotfire, Engaging Youth People and Citizen Science, and mapping spatial data.

Information from the event, including videos of the presentations, short interviews with some delegates and workshop presentations is published [here](#).

### 3.2.2 European State and Outlook Report 2015 (Published on 4<sup>th</sup> March

[The European State of Environment Report \(SOER\) 2015](#) was prepared as a joint undertaking in close collaboration with the 33 member and six cooperating countries of the EEA, as well as European Commission services. Input came from a broad range of stakeholders and the key messages range from policies are working, however, the level of ambition of existing environmental policy may be inadequate to achieve Europe's long-term environmental goals, the implementation of environment and climate policies has delivered substantial benefits for the functioning of Europe's ecosystems, and for the health and living standards of its citizen, to achieving this commitment can put Europe at the frontier of science and technology, but it calls for a greater sense of urgency and more courageous actions.

### 3.3 International engagement

#### 3.3.1 Eastern European Partnership Project

At the request of the Organisation for Economic Co-operation and Development (OECD), Gillian Bruce has been acting as an expert adviser on an Eastern European Partnership Project to help improve environmental performance amongst small to medium sized enterprises (SMEs) in Armenia, Azerbaijan, Georgia, Belarus, Moldova and Ukraine. This EU-funded project seeks to help these countries design and implement different instruments to promote green practices in SMEs on the basis of good practices in OECD countries.

Two meetings have been attended in Ukraine and Moldova where presentations on “Information based tools and incentive schemes for improving environmental performance” and “Advisory services in Scotland” were delivered. Gillian has also contributed through helping with the development of a regional SME Greening Guide and a country specific action plan for Moldova.

#### 3.3.2 National Centre for Resilience

The National Centre for Resilience (NCR) Board met for the second time on Tuesday 3 March in Edinburgh. The Minister for Environment, Climate Change and Land Reform, Dr Aileen McLeod was in attendance and set out the Government’s commitment in establishing this multi-agency facility. NCR is tasked with providing a focus of intelligence, skills and networking across the resilience, scientific and academic communities all on a virtual basis. David Faichney of SEPA’s Flood Unit is a member of this Board. More information on NCR can be found on the Ready Scotland website ([www.readyscotland.org/ready-government/national-centre-for-resilience-for-scotland/](http://www.readyscotland.org/ready-government/national-centre-for-resilience-for-scotland/)).

#### 3.3.3 Surface water flood forecasting model

A report, commissioned by SEPA, has now been published by the Centre of Expertise for Waters (CREW) on the successful delivery of an innovative pilot project to improve surface water flood forecasting in urban areas. The surface water flood forecasting model, which is the first of its kind in the UK, was implemented in Glasgow during the 2014 Commonwealth Games, and the report, which can be viewed at [www.crew.ac.uk/publications](http://www.crew.ac.uk/publications), states that a wider roll-out to other urban communities across Scotland is technically feasible and should be considered.



The pilot was led by the Scottish Flood Forecasting Service (a joint initiative between SEPA and the Met Office). The innovative approach was achieved due to support and funding by the Scottish Government through CREW, and work was carried out by SEPA in collaboration with the Centre for Ecology and Hydrology, the James Hutton Institute, and the Met Office.

The pilot project and the conclusions of the report contribute greatly to an ongoing area of research which looks at helping urban areas in Scotland improve their resilience to and preparedness for flooding. After the outcomes of the project were presented to her during her visit to the Perth Whitefriars office, the Minister for the Environment, Climate Change and Land Reform, Dr Aileen McLeod, was happy to endorse the project and said, “The ground breaking capabilities developed by SEPA to alert for surface water flooding was an essential part of our contingency planning during the Commonwealth Games.” More can be read on this [here](#).

### **3.3.4 Moray Flood Warning Scheme**

A revised campaign to promote the Flood Warning Scheme for the Moray Firth is underway after 17 new Flood Warning Areas were launched in October 2014 to help vulnerable communities at risk of flooding along the Moray Firth coastline. Communications to support this include targeted press releases at the areas with the lowest sign up and a direct mail to approximately 1800 properties covering the five areas with the lowest sign up. SEPA has also engaged in digital communications contributing to an increase in traffic to the Floodline website.

### **3.3.5 Recent developments in air quality monitoring and assessment**

In autumn 2014, SEPA responded swiftly to the threat of sulphur dioxide and particulate matter incursions from the effusive Icelandic (Holuhraun) fissure eruption of 31st August 2014 by monitoring at locations around the Highlands & Islands of Scotland and preparing procedures for an escalation of service in response to the risk posed by the volcanic activity.

SEPA's Highlands & Islands 'volcanic monitoring network' will be going live in April 2015. This project, funded by the Scottish Government and supported by the Met Office, aims to complement Scotland's existing air quality monitoring network. It will provide useful spatial coverage and data capture when looking to enhance volcanic plume modelling, track grounding volcanic ash and gases, and form the basis of early warning systems for public health. The network will also provide 'up to the minute' high quality data on air pollution from Icelandic volcanoes and this information will be displayed on a publically-accessible website.

SEPA convened the Scottish Urban Air Quality Citizen Science Advisory Group to share experiences and coordinate the delivery of citizen science work on air quality in Scotland. The group recommended that effort should focus on schools and transport and that a 'teaching package' be developed for primary and secondary schools. SEPA is developing a teaching package that will enable pupils to monitor air quality (using low-cost sensors) and visualise/assess their data and also carry out experiments to better understand air quality. This resource will be trialled in a number of schools during the summer term and then launched at the Scottish Learning Festival in September. In collaboration with Transport Scotland and CEH, SEPA has part-funded and guided the development of a prototype personal, mobile device for monitoring air pollution. This device is being trialled for future use in the teaching package. More details on this item can be found [here](#).

## **4. SEPA Business**

### **4.1 SEPA Change**

The work of the change programme is categorised in 2 areas: the joint programme with Scottish Government and the internal SEPA change programme. The joint programme includes work on policy development, legislative change, reform of charging and associated stakeholder engagement. The SEPA Change programme has several key projects within the portfolio to help reach SEPA's future vision. To date, Jo Green has led for SEPA on the joint programme with Craig Buchanan leading on the SEPA programme. Craig Buchanan left SEPA in March and Jo Green is now leading overall.

#### **4.1.1 Joint SEPA/ Scottish Government Better Environmental Regulation Programme**

The Regulatory Reform (Scotland) Act 2014 included a new statutory purpose for SEPA giving primacy to the environment but also recognising the contribution SEPA can and does make to health and wellbeing and the economy. In March, the Scottish Government issued the high level statutory guidance that supports this new purpose. This was developed as part of the work under the joint programme and included Board engagement during its development. It provides high level policy context for SEPA.

The Scottish Regulators' Strategic Code of Practice also came into force at the end of February and SEPA has a duty to take regard of the Code. This policy area falls under Fergus Ewing, Minister for Business, Energy and Tourism and the Code has a strong business focus. SEPA worked closely with the Enterprise part of Scottish Government on

the development of the Code. It reflects much of what SEPA does and already aspires to in terms of good practice.

Work is also progressing on the new enforcement powers under the Act. The Order should be laid in the Scottish Parliament in May and work is being carried out to prepare for the external consultation on the new formal SEPA Guidance on use of the new enforcement tools and updated SEPA Enforcement Policy. The formal framework is still on track to be in place later this year and SEPA will then be in a position to phase it in operationally.

Work has also been under way to set up a joint Scottish Government/SEPA policy leads group to support the work to develop the detailed policy intent and regulations under the Act for the new integrated framework of environmental regulation, including radical reform of the system of permissions. The intention is to be in a position to engage and consult on proposals later this year.

On reform of charging, the consultation package and supporting materials have now been submitted to Scottish Government and SEPA is working with various Government policy leads to prepare.

External sector specific workshops being held in preparation for the consultation have also been completed.

Internal auditing has taken place reviewing methodology for constructing the charging scheme and validity of data and input. Work is also underway in preparation for the consultation, in particular the development of a charging consultation tool which will allow operators to access detail information for all their licenses and the impact of charges.

#### **4.1.2 SEPA Change Programme**

The SEPA change programme is progressing well against plan.

The contact centre project is still progressing well. The focus during March and April is the introduction of web-chat functionality for customers. This capability will allow customers who use the internet to ask for advice without having to call us. Feasibility studies into the introduction of a complaints triage system are almost complete and a timeline for implementation of this service is being drafted.

The ecosystem services project is progressing well. Work is well underway to look at how ecosystem services methodologies can be used in different areas of the business and help decision making. The development of an ecosystem services assessment tool is almost complete. A work-plan for the financial year 2015-2016 is being finalised. This work-plan will detail the deliverables for this financial year.

The organisational design project set up to explore possible structure and process design options for SEPA is coming to a close. This first phase project involved a design team of senior managers developing possible options by using a tried and tested model for organisational design. The design team have now completed their final report and submitted this to AMT for consideration.

Management of the problem solving project co-ordination service is within the environmental quality unit within SEPA. The project has been initiated by way of a launch meeting for everyone involved. The project is currently defining a timeline and clarifying key milestones.

#### **4.1.3 Quality Management**

There is no further update since the update provided at the Agency Board meeting in February.

#### 4.1.4 Performance Report

Since the Q3 Corporate Performance Report the Agency Management Team has received two monthly Exception reports covering performance in January and February. There have been marginal changes to the status of the 32 performance measures since the end of December. The number of measures which have achieved their year-end targets remains at four (Landfill audits, Improving poor performers, Environmental monitoring plans and Statutory monitoring). On top of the two measures that had failed to meet their year-end targets at Q3 (Development Plan consultations and Bathing water signage), there are now two measures rated red against three at the Q3 stage. Water environment and Buildings energy use remain red and are unlikely to meet year-end targets, whilst PPC applications has moved from red to amber since January when a sixth licence was processed. We expect this to turn green in March when one of the remaining two applications is processed.

Since Q3 Flood risk management strategies has moved from amber to green as the programme has moved back on track. Cost recovery remains at amber as present projections suggest we will achieve only 97% recovery against a target of 98%. Radioactive Monitoring network also remains at amber as we are still waiting for outside contractors to complete the telecom links. This is likely to move to green in March as a full service has been maintained throughout the year despite one of the two sites remaining disconnected.

Measures	Q1 2014-2015	Q2 2014-2015	Q3 2014-2015	February 2015
Not reported	2	0	0	4
Target achieved	0	0	4	4
Target not achieved	0	2	2	2
Green	21	25	20	21
Amber	5	3	3	3
Red	4	2	3	2

#### 4.1.5 Risk Management

Implementation of the Risk Approach continues to be delivered under the oversight of the Risk Management Group. The Learning and Development team have launched the new mandatory risk management course for all managers with line management responsibility. This will be delivered between now and the end of September 2015. One risk on the corporate risk register in respect of the need for a new Estates Strategy has been closed as the strategy has now been developed. No new risks have been added since the half year report to the Audit Committee in December.

#### 4.1.6 Compliments

During period since last report (28 January – 27 March 2015), 25 compliments have been recorded, 16 from external and 9 from internal sources.

Examples from internal sources highlight some of compliments staff received from colleagues on the services provided within SEPA:

Staff from Learning & Development introduced a new way of working, using a log, to a colleague who has now 'revolutionised the way he works – and cannot imagine working without it'.

Whilst many systems can cause frustration a staff member took time to single out a staff member from the Information Services team who went out of his way to resolve the issues they were experiencing.

A manager within the Ecology Department was singled out for praise from Business Strategy for his efforts in supporting the business planning process. Not only did he ensure that all unit plans were consistently high quality and captured all business risks and resource issues,

but also went on to facilitate discussion between unit managers and Priority Leads which resulted in almost all issues being resolved prior to the next stage.

Examples from external sources included words of thanks at a Local Resilience Partnership Meeting. Local Authority Dumbarton passed on their thanks and praised staff for their partnership approach on to SEPA for help with the Winter Weather Exercise that SEPA attended.

DEFRA highlighted the excellent service provided by the Engagement Unit during their work on the Environmental Technology Verification (ETV) programme. They praised the team member's knowledge, expertise and ability to work flexibly to support and help meet deadlines from the European Commission.

In a recent court case, both the Sheriff and Procurator Fiscal were very impressed by the way a Senior Environment Protection Officer from the Dumfries office had responded during intense questioning.

Praise for website and SEPA's "knowledge management system" was received from a customer, rating the website "10 out of 10" for accuracy and functionality.

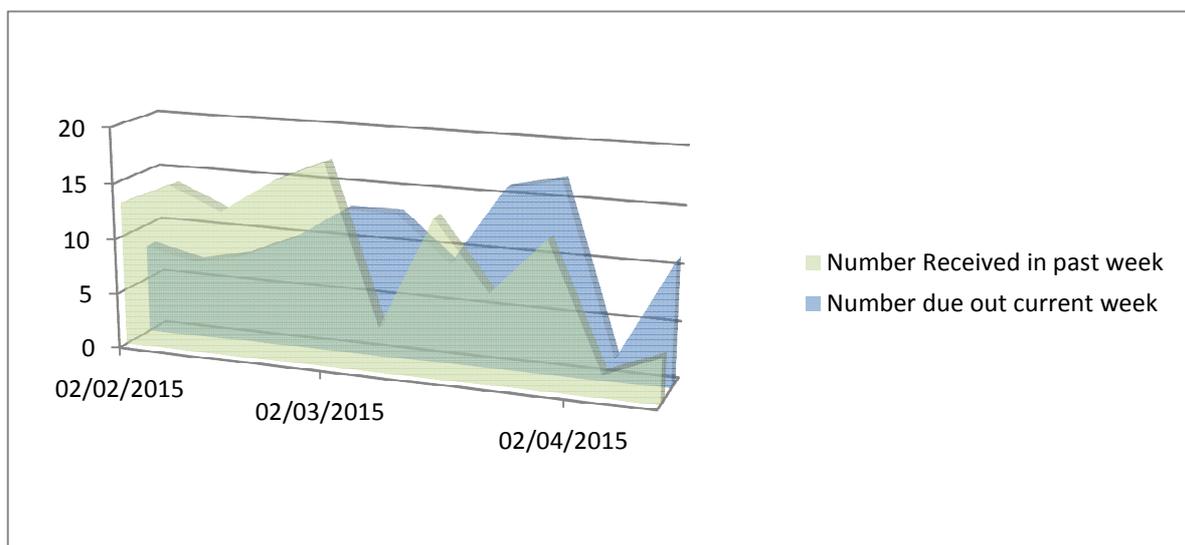
#### 4.1.7 Freedom of Information (FOI)

Between 6 February and 17 April 2015, 109 requests were logged and 119 requests were completed. Five Formal Reviews were logged and one was completed during the reporting period. Additional contextual information was located and released as an outcome of the Formal Review.

The majority of Environmental Information (Scotland) Regulations (EIRs) requests received during the reporting period fell into the category of Water in line with the usual trend. For example enquiries were received relating to the specific CAR licences; river flow data; fish farm monitoring; and number of septic tanks.

Freedom of Information (Scotland) Act (FOISA) requests received included enquiries relating to the purchase of staff ID cards and access cards, copies of email correspondence containing specific terminology and information relating to ICT contracts.

The chart below highlights the number of requests being handled by SEPA during the reporting period.



The Office of the Scottish Information Commissioner (OSIC) issued a Decision Notice on 13 April 2015 following an appeal concerning sewerage arrangements at a specified address. The Commissioner has accepted that SEPA did not hold any further information that fell within the terms of the request, and that SEPA identified and provided all information covered by the request.

Another appeal is currently considering relating to SEPA Flood Map data. A submission regarding the matters raised has been submitted to the investigating officer.

#### **4.1.8 Customer Service Complaints**

Between 6 February and 17 April 2015, three Complaints Handling Procedure (CHP) Stage 2 complaints were logged. The investigations of three complaints were completed, of which two were not upheld and one was partially upheld.

SEPA received notification from the Scottish Public Services Ombudsman (SPSO) that a complaint referred to them in January 2015 would not be taken forward to formal investigation. In this particular instance, the SPSO determined that the complainant in complaining to the SPSO was *“expressing dissatisfaction about the [flooding] advice have given, when contacted by the planning authority as a statutory consultee, about [his] planning consultation”*. They further determined that *“this disagreement is not, in itself, a complaint of administrative or service failure that [SPSO] can take forward”*.

The SPSO investigation of the complaint regarding matters concerning sewerage arrangements at a specified address is still ongoing.

## **4.2 Organisational Development (OD)**

The Organisational Development (OD) team continues to deliver a wide range of advice and support in relation to Human Resources, Learning & Development, Health & Safety and Equalities.

### **4.2.1 Voluntary Severance**

As part of the ongoing programme of change SEPA launched a voluntary severance scheme in February 2015. The VS scheme allowed a small number of staff to leave the organisation, and will play a part in helping to reduce costs. The scheme was designed to prioritise displaced staff whose substantive post had already been deleted. Applications were considered against the selection criteria and offers made to ten staff. Nine staff members accepted the offer and the majority left SEPA on 31 March 2015.

### **4.2.2 Pay remit 2015-16**

HR and Finance have been working together to produce the 2015 – 2016 pay remit for consideration and this has now been submitted to Scottish Government for approval. The Public Sector Pay Policy for Staff Pay Remits 2015-16 is quite similar to the previous year and colleagues have worked to ensure that SEPA’s submission complies with pay policy guidance.

### **4.2.3 New Policies**

A revised Flexi-time Scheme which is intended to introduce greater flexibility for both SEPA and employees was launched on 1 April. The Scheme, which forms part of a collective agreement with UNISON, was developed by a small working group made up of management and UNISON representatives before being approved by the Joint Negotiating and Consultative Committee. New policies and processes to support the new entitlement to Shared Parental Leave, which came into force on 5 April 2015, were also launched.

### **4.2.4 Pension Scheme changes**

With effect from 1 April, the Local Government Pension Scheme which SEPA is part of, changes to a Career Average scheme. Pension information has been updated on the

intranet and all standard templates updated to reflect the changes. In Autumn 2014, SEPA ran a series of workshops, in conjunction with a new Additional Voluntary Contribution (AVC) provider, Prudential, which provided staff with information on the changes to the pension scheme and how AVC's could potentially help them to save for their retirement.

#### **4.2.5 Health, Safety and Wellbeing**

Work is ongoing to ensure that we continue to evidence that we meet the requirements of both the Healthy Working Lives Bronze and Silver Awards. The formal ceremony to receive our Silver award took place on 26 March in Stirling.

#### **4.2.6 Bullying and Harassment E-learning**

The results of the 2013 People Survey reflected that some respondents had experienced bullying, harassment or discrimination in the work place. It is not clear from the People Survey whether experiences of bullying, harassment or discrimination are due to internal or external sources, however the results highlighted a need to do more organisationally to raise awareness of the issues of bullying and harassment and to support staff.

In August 2014 three mandatory e-learning packages intended to raise awareness of bullying and harassment issues and impacts were released for completion by all staff. To date a total of 95% of the organisation have completed these mandatory courses. Feedback has generally been positive and it is intended that this e-learning will remain on the directory for all new staff to complete.

#### **4.2.7 Equality and Diversity**

Our Equality Mainstreaming and Outcome Update Report 2015 has been published as per statutory requirements and ahead of the deadline. This is available on our website.

### **4.3 Office Accommodation**

#### **4.3.1 Strathallan House, Stirling**

Fit out works at Strathallan House have now been completed and the final move of staff into the building took place over the weekend of 7/8 February 2015.

There are now some 250 staff based in Strathallan House and we will be joined later in April by 30 SNH staff as part of our push to increasing shared services.

The move has allowed the continuation of the principles developed for the Angus Smith Building with all desks being bookable and a range of touchdown, breakout and informal meeting spaces being provided.

During the course of the works, recycled material from the previous tenant's fit out has been utilised and energy saving installations such as Photo Voltaic Cells on the roof and LED lighting incorporated where possible.

Following the migration out of Bremner House, the building was cleared and handed back to the Landlord by the end of March as programmed.

#### **4.3.2 Estate Strategy Implementation**

The Estate Strategy 2014-2020, approved by the Board on 25 November 2014, committed SEPA to rationalise our Estate, reduce overall costs and the impact our Estate has on the environment.

As a result of a number of property leases coming to an end, SEPA has the opportunity to transform the accommodation provided in the east of Scotland and address changes identified through the SEPA Change Programme

A Project Control Board has now been convened, chaired by the Chief Officer Finance, to link with the Organisational Design project and SEPA's Digital Strategy and bring forward innovative proposals for the East of Scotland Properties.

#### 4.4 Media coverage

Our communications department has confirmed that between 1 February and 31 March there were 490 articles mentioning SEPA.

There were 92 media enquiries during this time from various print, broadcast and online media.

In terms of subjects the top five for printed articles and media enquiries are as follows:

	Media enquiries
Printed articles	<ul style="list-style-type: none"> <li>• Waste</li> </ul>
<ul style="list-style-type: none"> <li>• Flooding</li> <li>• Planning</li> <li>• Waste</li> <li>• Prosecutions/ unconventional gas</li> <li>• Water</li> </ul>	<ul style="list-style-type: none"> <li>• Flooding</li> <li>• Water</li> <li>• Air</li> <li>• Prosecutions</li> </ul>

Over the two months 12 media releases were issued by SEPA, 75% of which were used, resulting in 34 articles.

Stories which gained a lot of coverage included:

- T in the Park and the planning application
- Encouraging people to sign up to Moray Firth flood warning scheme
- High tides and "weatherbombs"

There were 136 supportive articles (28%), 343 neutral or balanced articles (70%) and 11 critical articles (2%).

There were 11 articles in international media, 230 in national Scottish and UK media, and 249 in local Scottish media.

##### 4.4.1 Social media

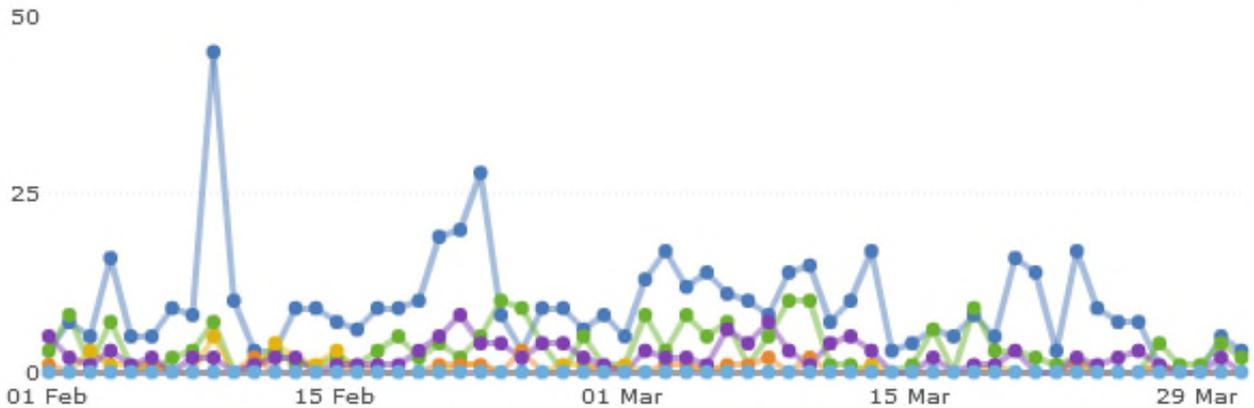
SEPA's communications team also monitors mentions on social media sites (such as Facebook and Twitter) and online blogs.

At the end of February we reached the milestone of 10,000 followers on Twitter.

We issued 249 social media messages on Facebook and Twitter over the two months, largely around flooding and our featured topics of Business & Environment in February and Soil in March. There were 638 messages from other people mentioning our twitter handle @ScottishEPA.

Latest Activity

Showing 919 beats from the 59 days for sepa



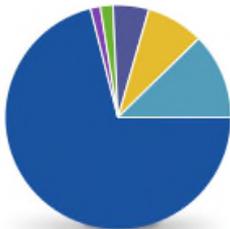
**919**  
Total Mentions  
**5**  
Today

<b>60.2%</b>	<b>Twitter</b> 554 mentions	<b>20.6%</b>	<b>News</b> 190 mentions
<b>3.2%</b>	<b>Forum</b> 30 mentions	<b>2.3%</b>	<b>Blogpost</b> 22 mentions
<b>0%</b>	<b>YouTube</b> 0 mentions	<b>13.3%</b>	<b>Facebook</b> 123 mentions
<b>0%</b>	<b>Instagram</b> 0 mentions		

Sentiment

**39% +ve** positive 360 mentions     **2% -ve** negative 22 mentions

These charts show the six topics which we chart the popularity of.



<b>70.9%</b>	<b>flooding</b> 601 mentions	<b>1.4%</b>	<b>incident</b> 12 mentions
<b>1.9%</b>	<b>radioactivity</b> 16 mentions	<b>5.2%</b>	<b>unconventional-gas</b> 44 mentions
<b>8.3%</b>	<b>waste</b> 70 mentions	<b>12.4%</b>	<b>water</b> 105 mentions

## Staff Twitter account

In December we also launched the @SEPAstaff account, to help us promote our featured topic work. Every month a different member of staff, related to the topic, is given the account to look after. In February and March 80 tweets were issued and the account gained 29 new followers (to bring us to 111 followers)

## Articles published in SEPA View

- My World [Anne Marsden](#) (24 February 2015)
- [VIBES Awards – winners' spotlight](#) (24 February 2015)
- [SEPA's interactive science exhibit at Glasgow City Council's Green Jobs Fair event](#) (24 February 2015)
- My World [Alan Parnell](#) (24 February 2015)
- [Being a VIBES Judge](#) (27 February 2015)
- [Top soil – the dirt on this precious resource](#) (3 March 2015)
- [Resource Efficient Scotland](#) (6 March 2015)
- [Watching the Icelandic volcanoes](#) (12 March 2015)
- [Flood forecasting for the 2014 Commonwealth Games](#) 12 March 2015
- [Restoring Scotland's water environment](#) (16 March 2015)
- [Urban food renaissance](#) (18 March 2015)
- [Forests for the future](#) (20 March 2015)
- [Regulating for behaviour change](#) (23 March 2015)
- [Down at the bottom of the garden](#) (24 March 2015)
- My World [Stephanie Balman](#) (25 March 2015)
- My World [Mark Aitken](#) (30 March 2015)
- My World [Alan Cundill](#) (31 March 2015)
- [The Road to Paris](#) (8 April 2015)
- My World [Janet Khan-Marnie](#) (10 April 2015)

## Publications

- Making the case for the environment – [soil](#)
- Annual operating plan 2015–2016
- New SEPA website
- Bathing waters report 2014–2015

## 5. Recommendations

5.1 The Board is asked to **note** this report.

**James Curran, former Chief Executive**  
**Terry A'Hearn, Chief Executive**

**21 April 2015**