



Agency Board Meeting 19 February 2019

Board Report Number: SEPA 06/19

Corporate Performance Report Quarter Three 2018-2019

Summary:	<p>This report presents the third quarter corporate performance report, covering October – December 2018.</p> <p>The report covers progress made on the 15 performance measures in SEPA's 2018-2019 Annual Operating Plan.</p> <ul style="list-style-type: none"> • 1 Target has been exceeded • 1 Target has been achieved • 3 Targets will not be achieved • 7 Targets remain high confidence • 1 Target remains medium confidence • 1 Target has moved from medium to high confidence • 1 Target has moved from high to medium confidence
Risks:	There are risks to SEPA's reputation associated with not achieving corporate targets within the time periods specified in our Annual Operating Plan 2018–2019.
Resource and Staffing Implications:	The resource and staffing implications are as stated in the report.
Equality:	We continue to mainstream equality across all parts of the organisation.
Environmental and Carbon Impact:	The environmental impacts are as stated in the report.
Purpose and audience of the report:	For information. Agency Board, Scottish Government and Public.
Report Author:	Carol Ann Chapman, Business Strategy Unit Jo Green, Chief Officer, Performance & Innovation 6 February 2019
Appendix:	SEPA Quarter Three Corporate Performance Report

SCOTTISH ENVIRONMENT PROTECTION AGENCY

Corporate Performance Report Quarter Three 2018-2019**1. Introduction**

- 1.1 This is the third quarter performance report.
- 1.2 Quarterly performance reports allow the management team to assess our progress against targets set in our [five year corporate plan](#) and latest [Annual Operating Plan](#) and act to improve performance when required.
- 1.3 The report includes a column showing our confidence level in achieving the performance measure by the year-end. We also highlight any key strategic issues requiring attention.
- 1.4 Confidence in the following measures has changed since the last report:
- **Water environment – physical condition;** this measure will not be achieved this year as planned projects with partners has been postponed. We are confident, however, that we will deliver the delayed 2km next year.
 - **Water environment – river barriers;** the target for this measure has already been surpassed and the length of river opened up for fish migration is expected to more than double the original target by the year end.
 - **Sustainable Growth Agreements;** this measure will not be achieved this year. Four out of the five Sustainable Growth Agreements planned for this year are already in place. We are actively developing six new Agreements but we and the businesses involved need further time to finalise and agree commitments.
 - **Clearer permits;** this measure will not be achieved this year due to the need for each sector to develop its regulatory approach before any template can be designed to reflect it. However, a significant amount of work has gone into developing principles around common areas which will lead to longer term efficiencies.
 - **Waste Crime;** this measure has moved from high to medium confidence as the delivery of the actions are tied into sector plan delivery.
 - **Greenhouse Gas Emissions;** this measure has moved from medium to high confidence as we now have the conversion factor that we need to apply to our emissions to report the carbon dioxide levels. The calculations show that we are on track to exceed our planned emissions.
- 1.6 We have published [a brief summary](#) of all 15 performance measures putting each measure into context. This is a dynamic document and we will make changes through the year when necessary.

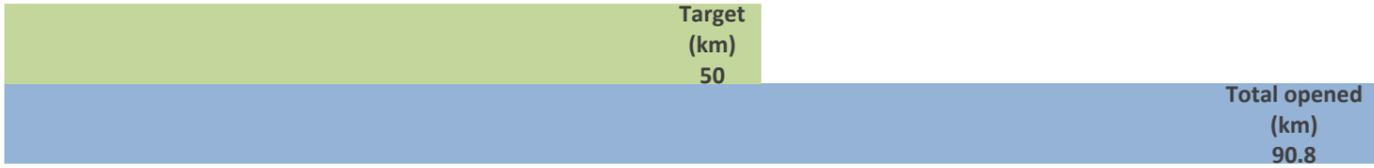
2. Recommendations

- 2.1 The Board is asked to note and comment on the contents of the 2018–2019 Quarter Three Corporate Performance Report.

Carol Ann Chapman, Senior Business Consultant
Jo Green, Chief Officer, Performance & Innovation

6 February 2019

Appendix 1: Corporate performance report

Corporate Plan measure	Annual Operating Plan measure	AMT member	Confidence ¹	Performance											
Improvement in the quality of Scotland's environment	<p>1. Water environment – physical condition. Increase the length of river or loch shore where physical condition is restored.</p>	John Kenny	Target will not be achieved	<p>This target will not be achieved this year as the projects to restore the physical condition of two waterbodies that we had planned with partners have been postponed. The projects are funded by the Water Environment Fund.</p> <ul style="list-style-type: none"> The Tollcross Burn river corridor groundworks have been postponed as the Local Authority needs more time to consider planning permission and produce a waste management strategy. The River Nith (New Cumnock to Sanquhar) groundworks have been postponed to reduce environmental risk and ensure correct contractual procedures are in place. <p>However:</p> <ul style="list-style-type: none"> Work done this year will ensure that the 2km of delayed river corridor restoration will be delivered next year. We have also developed partnerships with Local Authorities on new projects to improve urban river corridors in seven communities, for delivery in the coming years.  <table border="1"> <tr> <td>Target (km)</td> <td>2.5</td> </tr> <tr> <td>Total restored (km)</td> <td>0.5</td> </tr> </table>	Target (km)	2.5	Total restored (km)	0.5							
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<p>2. Water environment – river barriers. Increase the length of river where fish movement is not restricted by man-made barriers.</p>	John Kenny	Target exceeded	<p>We are continuing to work on the removal or easement of several fish barriers. These projects are funded by the Water Environment Fund.</p> <ul style="list-style-type: none"> One fish barrier project was delivered in Q1, opening up 21.8km for fish passage. A further project to install a fish passage on the Lugton Water was completed in Q3, opening up a further 69km for fish passage. Two fish barrier projects are on track for delivery by Q4, opening up an additional 42.5km of river. The delivery of one fish barrier project has been delayed until 2019-2020 due to time needed for stakeholder engagement. In total, we expect to open 111.5km to migratory fish this year, more than double our target.  <table border="1"> <tr> <td>Target (km)</td> <td>50</td> </tr> <tr> <td>Total opened (km)</td> <td>90.8</td> </tr> </table>	Target (km)	50	Total opened (km)	90.8								
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<p>3. Water environment – diffuse pollution Achieve more than 75% uptake of required actions to alleviate diffuse pollution after first follow-up visits to non-compliant farms.</p>	Ian Buchanan	Remains High	<table border="1"> <thead> <tr> <th>Year</th> <th>2014-2015</th> <th>2015-2016</th> <th>2016-2017</th> <th>2017-2018</th> <th>2018-2019</th> </tr> </thead> <tbody> <tr> <td>Percentage uptake</td> <td>88%</td> <td>83%</td> <td>86%</td> <td>88%</td> <td>87%</td> </tr> </tbody> </table>	Year	2014-2015	2015-2016	2016-2017	2017-2018	2018-2019	Percentage uptake	88%	83%	86%	88%	87%
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Reporting of the quality of Scotland's environment	<p>4. State of the environment Deliver the evidence we need to help us develop our next sector plans and simplified permits.</p>	David Pirie	Remains High	<p>We have continued to work with sector teams to progressively improve the information needed to support the development of sector plans and their implementation. We are doing this by driving two parallel work streams:</p> <p><u>Improving base data.</u> We have provided data-cleansed information to support the development of the new draft sector plans and are now using the feedback from these plans to further improve the underpinning data.</p> <p><u>Widening the scope of available data.</u> We are developing leading-edge technology to provide sectors with key internal and external information (eg Twitter feeds) in real time. We have developed an initial tool in collaboration with the metals sector leads. Once this tool is complete we will progressively roll it out to other sectors.</p>											

¹ A measure of how confident the measure owner is in achieving this measure by the year end.

Corporate Plan measure	Annual Operating Plan measure	AMT member	Confidence ¹	Performance																						
Increase in the number of sector plans	5. Sector plans Increase the number of finalised sector plans to at least 16.	John Kenny	Remains High	<table border="1"> <thead> <tr> <th>Sector</th> <th></th> </tr> </thead> <tbody> <tr> <td>Chemicals Manufacturing</td> <td rowspan="10"> <ul style="list-style-type: none"> Released for public consultation 21 Dec 2018 Consultation closes 15 Feb 2019 Planned launch date 29 Mar 2019 </td> </tr> <tr> <td>Crop Production</td> </tr> <tr> <td>Dairy Farming</td> </tr> <tr> <td>Dairy Production (e.g. milk, cheese)</td> </tr> <tr> <td>Housing</td> </tr> <tr> <td>Leather</td> </tr> <tr> <td>Nuclear Power Generation and Decommissioning</td> </tr> <tr> <td>Transport and Utilities Infrastructure</td> </tr> <tr> <td>Water and Waste Water Treatment (public and private)</td> </tr> <tr> <td>Forestry and Timber Production and Processing</td> <td>Consultation postponed until after the launch of Scotland's Forestry Strategy by Scottish Government (due to be laid before the Scottish Parliament in early 2019)</td> </tr> </tbody> </table>	Sector		Chemicals Manufacturing	<ul style="list-style-type: none"> Released for public consultation 21 Dec 2018 Consultation closes 15 Feb 2019 Planned launch date 29 Mar 2019 	Crop Production	Dairy Farming	Dairy Production (e.g. milk, cheese)	Housing	Leather	Nuclear Power Generation and Decommissioning	Transport and Utilities Infrastructure	Water and Waste Water Treatment (public and private)	Forestry and Timber Production and Processing	Consultation postponed until after the launch of Scotland's Forestry Strategy by Scottish Government (due to be laid before the Scottish Parliament in early 2019)								
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Forestry and Timber Production and Processing		Consultation postponed until after the launch of Scotland's Forestry Strategy by Scottish Government (due to be laid before the Scottish Parliament in early 2019)																								
Increase in the number of Sustainable Growth Agreements	6. Sustainable growth agreements Develop at least five new Sustainable Growth Agreements that focus on regulated businesses.	Jo Green	Target will not be achieved	<p>Although we have set up four new Sustainable Growth Agreements we are not in a position to sign any further agreements this financial year.</p> <p>We are actively developing another six new agreements and are confident that a number of them will be signed in the first quarter of 2019-2020.</p> <table border="1"> <thead> <tr> <th>Quarter</th> <th>Quarter 1</th> <th>Quarter 2</th> <th>Quarter 3</th> <th>Quarter 4</th> </tr> </thead> <tbody> <tr> <td>In progress</td> <td>2</td> <td>2</td> <td>6</td> <td></td> </tr> <tr> <td>Number agreed</td> <td>1</td> <td>3</td> <td>0</td> <td></td> </tr> <tr> <td>Agreements with</td> <td>Scottish Water</td> <td>Stirling Council Scottish Land Commission Entrepreneurial Scotland</td> <td></td> <td></td> </tr> </tbody> </table>	Quarter	Quarter 1	Quarter 2	Quarter 3	Quarter 4	In progress	2	2	6		Number agreed	1	3	0		Agreements with	Scottish Water	Stirling Council Scottish Land Commission Entrepreneurial Scotland				
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All permits have obligations which are clearer	7. Clearer permits Increase, in targeted sectors, in the percentage of permits which have obligations that are clearer	Ian Buchanan	Target will not be achieved	<p>Overall, this measure remains at low confidence due to:</p> <ul style="list-style-type: none"> complexity of developing simple, outcome-focused templates for challenging sectors, some of which are governed by complex legislation; the need for each sector to develop its regulatory approach before any template can be designed to reflect it; the above development work being needed before work can begin to move permit holders to new templates and the extent of this change requiring significant resource; the substantial amount of resource committed to Marine Cage Fish Farm Template, which is not included in this target but is a key part of the new Regulatory approach to this sector. <p>A significant amount of work has gone into developing principals around key areas common across the majority of licences which will lead to longer term efficiencies around the development of the templates.</p> <p>We are on schedule to launch the online services for septic tank registrations and radioactive substance notifications, with restricted access to allow testing with users, by end of March 2019.</p>																						
Reduction in non-compliance	8. Decreasing non-compliance Reduce the number of licences classed as very poor at the end of March 2018.	Ian Buchanan	Remains High	<table border="1"> <thead> <tr> <th>Reporting year</th> <th>2017-2018</th> <th>2018-2019 Q3</th> </tr> </thead> <tbody> <tr> <td>Number very poor at start of year</td> <td>59</td> <td>40</td> </tr> <tr> <td>Number of these which are very poor at end of period</td> <td>15</td> <td>11* (out of 39 inspected)</td> </tr> <tr> <td>Percentage reduction</td> <td>75%</td> <td>N/A</td> </tr> </tbody> </table> <p>*Provisional figures based on number of licences assessed by end of Q3</p> <table border="1"> <thead> <tr> <th>2018-2019</th> <th>Q1</th> <th>Q2</th> <th>Q3</th> <th>Q4</th> </tr> </thead> <tbody> <tr> <td>Number assessed (year to date)</td> <td>29</td> <td>37</td> <td>39</td> <td></td> </tr> </tbody> </table>	Reporting year	2017-2018	2018-2019 Q3	Number very poor at start of year	59	40	Number of these which are very poor at end of period	15	11* (out of 39 inspected)	Percentage reduction	75%	N/A	2018-2019	Q1	Q2	Q3	Q4	Number assessed (year to date)	29	37	39	
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Corporate Plan measure	Annual Operating Plan measure	AMT member	Confidence ¹	Performance																						
	<p>9. Persistently failing sites Reduce the number of licences which were non-compliant for two years or more at the end of March 2018.</p>	Ian Buchanan	Remains High	<table border="1"> <tr> <td>Reporting year</td> <td>2017-2018</td> <td>2018-2019 Q3</td> </tr> <tr> <td>Number non-compliant at start of year</td> <td>195</td> <td>182</td> </tr> <tr> <td>Number of these which are non-compliant at end of period</td> <td>118</td> <td>59* (out of 175 inspected)</td> </tr> <tr> <td>Percentage reduction</td> <td>40%</td> <td>N/A</td> </tr> </table> <p>*Provisional figure based on number of licenses assessed by end of Q3</p> <table border="1"> <tr> <td>2018-2019</td> <td>Q1</td> <td>Q2</td> <td>Q3</td> <td>Q4</td> </tr> <tr> <td>Number assessed (year to date)</td> <td>118</td> <td>167</td> <td>175</td> <td></td> </tr> </table>	Reporting year	2017-2018	2018-2019 Q3	Number non-compliant at start of year	195	182	Number of these which are non-compliant at end of period	118	59* (out of 175 inspected)	Percentage reduction	40%	N/A	2018-2019	Q1	Q2	Q3	Q4	Number assessed (year to date)	118	167	175	
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Eradication of waste crime	<p>10. Waste crime Make the waste sector less attractive to criminals</p>	John Kenny	Moved from High to Medium	<ul style="list-style-type: none"> This measure has moved from high to medium confidence due to the delivery of actions being tied into the resourcing of Sector Plan delivery. Duty of Care actions have been included in the draft Oil & Gas Decommissioning Sector Plan that went out for consultation. A Duty of Care plan has been created. Duty of Care actions have been included in the Metals Sector Plan which includes a Duty of Care campaign for the sector. Delivered one general awareness campaign on duty of care in the form of a published ENDS article. Duty of Care training is in development and is currently being peer reviewed. A new Transfer Note template is being tested by staff and has now been rolled out on NetRegs for internal and external use. Delivered staff workshop on Duty of Care to support 4 Agency collaborative working. Currently developing an adaptable Duty of Care checklist to support staff regulating Duty of Care. 																						
Achievement of milestones to deliver the next flood risk management strategies	<p>11. Flood risk management strategies Complete the preliminary flood risk assessment by 22 December 2018.</p>	David Pirie	Target achieved	<table border="1"> <tr> <td>Consult on the National (preliminary) Flood Risk Assessment and proposed Potentially Vulnerable Areas</td> <td> <ul style="list-style-type: none"> Complete. The consultation closed on 31 July. </td> </tr> <tr> <td>Publish the National (preliminary) Flood Risk Assessment and Potentially Vulnerable Areas</td> <td> <ul style="list-style-type: none"> Complete The draft Potentially Vulnerable Areas and consultation digest of responses was submitted to the Cabinet Secretary by 22 September as required by legislation. The Potentially Vulnerable Areas were signed off by the Cabinet Secretary on 7 November 2018. The 2018 National (preliminary) Flood Risk Assessment went live on our website on 21 December (ahead of the 22 December statutory requirement). Planned media and communication activity around the publication was prepared and implemented. A further platform update will be made in spring 2019 to take on board user feedback. </td> </tr> </table>	Consult on the National (preliminary) Flood Risk Assessment and proposed Potentially Vulnerable Areas	<ul style="list-style-type: none"> Complete. The consultation closed on 31 July. 	Publish the National (preliminary) Flood Risk Assessment and Potentially Vulnerable Areas	<ul style="list-style-type: none"> Complete The draft Potentially Vulnerable Areas and consultation digest of responses was submitted to the Cabinet Secretary by 22 September as required by legislation. The Potentially Vulnerable Areas were signed off by the Cabinet Secretary on 7 November 2018. The 2018 National (preliminary) Flood Risk Assessment went live on our website on 21 December (ahead of the 22 December statutory requirement). Planned media and communication activity around the publication was prepared and implemented. A further platform update will be made in spring 2019 to take on board user feedback. 																		
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Improvement to our services based on customer feedback	12. Consultation Consult and engage on areas of our services.	Jo Green	Remains High	<table border="1"> <thead> <tr> <th>Consultation on</th> <th>Due to be completed</th> <th>Completed</th> </tr> </thead> <tbody> <tr> <td>Scotch Whisky, Landfill and Metals Sector Plans</td> <td>Quarter 1</td> <td>✓</td> </tr> <tr> <td>Draft Standard Conditions for radioactive substances authorisations</td> <td>Quarter 1</td> <td>✓</td> </tr> <tr> <td>Charges for RSA under the new Environmental Authorisations (Scotland) Regulations</td> <td>Quarter 2</td> <td>✓</td> </tr> <tr> <td>Flood Risk Management in Scotland- 2018 Potentially Vulnerable Areas</td> <td>Quarter 2</td> <td>✓</td> </tr> <tr> <td>River basin management planning in Scotland: statement of consultation steps for the third plans*</td> <td>Quarter 3</td> <td>✓</td> </tr> <tr> <td>Working together - Statement of consultation steps for the Solway Tweed river basin district*</td> <td>Quarter 3</td> <td>✓</td> </tr> <tr> <td>Tyre and Oil and Gas Decommissioning Sector Plan</td> <td>Quarter 3</td> <td>✓</td> </tr> <tr> <td>Finfish Aquaculture Sector Plan</td> <td>Quarter 3</td> <td>✓</td> </tr> <tr> <td>Dairy Processing, Dairy Production, Crop Production, Strategic Infrastructure (Transport and Utilities), Housing Chemicals Manufacturing, Leather, Nuclear Power Generation and Decommissioning and Water Supply & Waste Water Treatment Sector Plan</td> <td>Quarter 4</td> <td></td> </tr> </tbody> </table>	Consultation on	Due to be completed	Completed	Scotch Whisky, Landfill and Metals Sector Plans	Quarter 1	✓	Draft Standard Conditions for radioactive substances authorisations	Quarter 1	✓	Charges for RSA under the new Environmental Authorisations (Scotland) Regulations	Quarter 2	✓	Flood Risk Management in Scotland- 2018 Potentially Vulnerable Areas	Quarter 2	✓	River basin management planning in Scotland: statement of consultation steps for the third plans*	Quarter 3	✓	Working together - Statement of consultation steps for the Solway Tweed river basin district*	Quarter 3	✓	Tyre and Oil and Gas Decommissioning Sector Plan	Quarter 3	✓	Finfish Aquaculture Sector Plan	Quarter 3	✓	Dairy Processing, Dairy Production, Crop Production, Strategic Infrastructure (Transport and Utilities), Housing Chemicals Manufacturing, Leather, Nuclear Power Generation and Decommissioning and Water Supply & Waste Water Treatment Sector Plan	Quarter 4	
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*On 22 June, we published a statement of how we are going to consult on the development of Scotland's third river basin management plans. The consultation marks the start of work required to update the river basin management plans for the Scotland and Solway Tweed River Basin Districts.																																		
Reduction in our greenhouse gas emissions	13. Greenhouse gas emissions Reduce emissions of carbon dioxide by 42% compared to a 2006-2007 baseline.	Fiona Martin	Moved from Medium to High	<p>This measure has moved from medium to high as we now have the information needed from government to calculate our emissions and we can confidently report that we are on track to exceed our planned target.</p> <p>Our direct greenhouse gas emissions arise from fossil fuels used for building energy, transport and our survey vessel, the Sir John Murray. In order to meet our long-standing 42% reduction target by the end of March, we need a reduction in our emissions of 6.4% this year compared to last year. We are on target to achieve a reduction of between 8 and 9%. One major factor for this is the decarbonisation of the UK electricity grid. The electricity emission conversion factor has dropped by 20% from 2017-2018.</p> <p>We took action this year to reduce our air mileage and restrict the scale of increase in car mileage. This resulted in a 29% drop in emissions from air mileage, although our overall transport emissions rose by 2.7% against the same period last year.</p>																														
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Sir John Murray	4%	Marine diesel will increase by 7% against 2017-2018 to complete the 2018-2019 survey programme.																																
Achievement of annual efficiency savings	14. Organisational efficiencies Achieve organisational efficiencies of at least 3% of our grant-in-aid funding.	Stuart McGregor	Remains medium	<p>The 2018-2019 budget was balanced using non-recurrent vacancy savings and expenditure is currently forecast to outturn within the budget set.</p> <p>The Agency Management Team continues to focus discussions on how to achieve recurrent savings and any actions agreed will contribute towards producing a balanced budget for 2019-2020.</p>																														
	15. Cost recovery Recover at least 97% of our costs across our charging schemes.	Stuart McGregor	Remains High	At the end of quarter three, we forecast we will recover 98% for the full financial year.																														

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