



## Agency Board Meeting 24 July 2012

**Board Report Number: SEPA 25/12**

### 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 29 May 2012.
<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 Karen Cochrane, Executive Officer
<b>Appendices:</b>	None

## Chief Executive's Report

### INTRODUCTION

I'm sure you'll be well aware that it's been one of the wettest summers on record. In fact, unconfirmed SEPA measurements recorded an amazing 43mm of rain in one hour in one of our gauges during an extreme rain storm which occurred in part of the Cessnock catchment near Mauchline earlier in the month, with a total of 90mm in three hours recorded in the same gauge! The picture below shows flooding in the fields behind Cessnock Water embankments, with the water unable to return to the river as the embankments overtopped rather than breaching.



And the dismal weather we've experienced so far has certainly been exercising our Floodline and Flood Warning staff and systems. I'm sure you'll join me in thanking all of the teams who've ensured that these vital public services are staffed and running 24/7. The Cabinet Secretary John Swinney recently recorded his appreciation of the teamwork shown across the public sector in their response.

In June I produced a video message for staff to coincide with the opening of the [Rio+20 conference](#), and, in addition to global developments, I reflected on the changes in Scotland's environment since the original conference took place back in 1992, not least of which has been the formation of SEPA itself.

To enable us to build on the groundbreaking work we have already done, we are just about to launch what we have variously called the single change programme, or unified change programme, which will be overseen by the Agency Management Team, but led by Calum MacDonald. That unified programme is going to bring together the continuing progressive work already well underway and also introduce some new work streams around the ecosystems concept as a future business driver and developing a new funding model, which is pretty important to us. We currently operate 14 cost recovery models - we'd like to collapse that down to one good, simple, straightforward funding model that gives us the flexibility to deliver what we aspire to under better regulation. We have to create a funding mechanism that gives the flexibility to pursue harms and deliver multiple benefits.

A particularly important issue for me within that unified change programme is about culture – it may be a term which some people might not like, but it's really about the way we want to work. I'm really proud of the way we operate as part of 'Team Scotland', and we really do contribute in a very active way to initiatives like [SEARS](#), [Scotland's Environment Web](#) (which we created and first developed, and are now coordinating multi-functional teams across Scotland), in [CAMERAS](#) (more or less the science equivalent of SEARS), and in proactively thinking about and collaborating on how we take Hydronation forward. We are just beginning to investigate "culture" within the Agency – for example Kim Grant undertook a rather

detailed cultural survey, and Calum MacDonald has led several cultural workshops, involving around 150 staff already. Bob Downes also introduced an Agency Management Team workshop recently. It is very encouraging that staff seem really keen to change the way we do things, in order to capitalise fully on the benefits of changing what we do.

In addition to continuing my “induction” meetings with many of our partner organisations, I’ve now started to get out and around SEPA’s own offices and had a really enjoyable and informative day with staff in Inverdee House in Aberdeen earlier in the month. They’re very much looking forward to hosting the next Board meeting there, and to meeting the new Board members, and providing the “day in the life of a licence” session.

I attended and helped chair the [Central Scotland Green Network Forum](#) in Glasgow in June, and I participated in an Institute of Civil Engineering Water Expert panel regional debate, also in Glasgow, on the topic of Hydronation along with Bob Ferrier from the James Hutton Institute, Jon Rathjen of Scottish Government’s Water Industry Team, and Geoff Aitkenhead, Asset Management Director of Scottish Water. Subsequently this partnership has been drafting up some potential proposals for making the concept real.

I attended my first [Business in the Parliament](#) Conference in June, which centred on entrepreneurship and internationalisation, and I was impressed by the range of attendees and the discussion topics covered. My own key message that good regulation has been shown repeatedly to promote innovation and business success maybe got through to some of the attendees. As David mentioned in his report, we both attended a deluged Royal Highland Show and it was touch and go whether the SEARS tent would stay above the rising waterline. SEPA, Scotland’s flooding authority of course, had actually organised the SEARS tent this year but, I’m glad to say, all the SEARS staff and the tent rose to the occasion – and put on a great show.

## 1. THE ENVIRONMENT

### 1.1 Ecology

#### River Basin Management Planning (RBMP) ‘getting involved’ consultations for Scotland and Solway Tweed

It is a requirement of the [Water Framework Directive](#) to set out how we will engage stakeholders in the river basin planning process. For the second river basin planning cycle we are doing this through the forthcoming consultation “Getting involved in developing the second river basin management plan”. Separate consultation documents are required for the Scotland and Solway Tweed river basin districts. In these documents we have clearly outlined a timetable and work programme for the production of the river basin management plans, including a statement of the consultation measures to be undertaken. We have also taken the chance to revisit some of the area advisory group boundaries to align, where feasible, with the flood risk management local plan districts, and outlined some of the key areas we want to build on as we produce the second river basin management plan. Plans are now in place for the formal public consultation launch on 28 August

#### Rubislaw Quarry

[Rubislaw Quarry](#), in the west end of Aberdeen, was opened in 1740. Over the following 200 years, an estimated six million tonnes of granite was excavated, giving Aberdeen the name of 'The Granite City', and creating one of the biggest man-made holes in Europe. SEPA has been approached by developers to approve the pumping of water from the quarry into a nearby stream system to allow the construction of a visitor centre. This will also have the benefit of reducing the risk of the quarry overtopping and posing a flooding threat to nearby properties.

Scrabster beach, Thurso

Reports were received about possible oil pollution on Scrabster Beach, near Thurso. Inspection of the beach highlighted a number of teal-coloured lumps of grease, with the same grease in smaller quantities also being found on Thurso beach. The harbour at Scrabster is currently being dredged, so findings have been reported to the Harbour Master and Marine Scotland (MS)<sup>1</sup>, who issued a licence for the works. Due to the presence of the licence, and the oil being below high water mark, this issue is within MS's remit but they are keeping SEPA updated on progress in determining responsibility.

South Calder Water harms initiative

The South Calder harms initiative has progressed with catchment walks having commenced and a number of pollution issues identified as a result of the walks. In May a productive meeting was held with Scottish Water representatives where asset locations were identified.

Low's Weir Almondbank, Perth

Work on the replacement of Low's Weir at Almondbank in Perth has begun. This is a historic structure across the River Almond (part of the Tay SAC), and, as a consequence, Scottish Natural Heritage (SNH), SEPA and Historic Scotland, as well as the local fishery board, were all consulted by the local authority before the works began. A CAR Licence was issued to allow the works to be carried out. The replacement weir will incorporate a fish pass which was not included in the original design.

Loch Fitty, Dunfermline, Fife

Work continues on the determination of the CAR licence application for Loch Fitty. SEPA and Fife Council have met with Scottish Coal regarding sediment management issues, and the potential reuse of the sediment from the loch for restoration of the adjacent St Ninians open cast coal site, should the application be successful.

## 1.2 Waste

Fly tipping

SEPA, Grampian Police and Aberdeen City Council have been working together to combat fly tipping in the Woodside area of Aberdeen, which has been blighted by repeated dumping of construction waste, tyres and household waste for some time. A clean up of the site was undertaken and gates put across the entrance to deter future tipping. In addition, SEPA staff in the Western Isles were also recently alerted to significant fly tipping deposits at a number of locations across South Uist and Benbecula. These were traced back to a local building company which was found to have recently gone into administration, and SEPA has been working closely with the Administrators to have the fly tipping cleared up.

Ongoing initiatives regarding waste tyres

SEPA recently completed inspections at approximately 20 garages as a follow on from Operation Aspen in Inverness-shire and Ross-shire. The garages targeted had failed to respond to a questionnaire about Duty of Care for tyres. Largely these inspections found garages had good management systems and controls in place for tracking waste and for storage of hazardous materials such as waste oils.

This is one of several projects where directorates are working flexibly across team boundaries to share resource and expertise to combat potential illegal activities. End-of-life vehicles and scrap yards are two other areas of waste disposal being looked at closely to bring sites up to a common acceptable standard.

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<sup>1</sup> [Marine Scotland](#) is the Scottish Government directorate responsible for the integrated management of Scotland's seas.

Fife Focus on Potential Freeloaders

During the week 30 April-4 May, the Fife Team, with assistance from the Enforcement Support Team, visited seven sites which were potentially carrying out unlicensed waste activities. Following the visits further investigations are ongoing.

Scotgen (Dumfries) Ltd

Scotgen's Dargavel Stores Energy from Waste Plant continues to have issues commissioning their new boiler systems. The operator expects these issues to be resolved imminently (upon delivery and installation of modified control equipment) and then to move on to commissioning their steam turbine. Power generation is expected ~September 2012.

DERL, Dundee

A fire occurred at the Dundee Energy Recycling Limited (DERL) municipal waste incinerator on 16 May. The fire, which was attended by SEPA officers, was quickly brought under control by the emergency services but refuse derived fuel continued to smoulder. Investigations by SEPA, HSE and Scottish Water are ongoing.

### 1.3 Planning

Planning Advice Notes

Planning staff are engaging with Scottish Government colleagues on two emerging revisions of key Planning Advice Notes relevant to SEPA's interests. The first is a review of Planning Advice Note 63 on Waste for which SEPA, as part of a Peer Review Group, has been providing input concerning the advice to planning authorities, developers and members of the public on waste matters so that the planning system delivers the measures contained in the Zero Waste Plan. The second is a combined Planning Advice Note from existing Planning Advice Notes 61, 69 and 79 on flooding, water and drainage, including SUDS. Planning staff have provided advice to Scottish Government on their scoping paper for the work and participated in an initial stakeholder event in April. The intention is to provide a co-ordinated approach to surface water flooding and drainage, promoting the principles of sustainable flood risk management and taking account of the Flood Risk Management (Scotland) Act, the Climate Change (Scotland) Act and Scottish Planning Policy.

Zero Waste planning training

Planning Aid Scotland is working towards a programme to train planning professionals and elected members on the new Waste (Scotland) Regulations. SEPA planning staff will provide information to be included in the training material and will present part of the training programme. This forms part of SEPA's Public Education and Awareness role identified in the Zero Waste Plan Annex B to take part in education and capacity-building with planning authorities and with the waste industry.

Key Agencies video

In conjunction with the other Key Planning Agencies, a video presentation has been prepared and circulated to all new Local Authority Councillors. This outlines the broad remit of each of the key agencies and our commitment to work in partnerships with planning authorities to deliver high quality infrastructure in line with the principles of sustainable development. It is hoped to host the video on the Scottish Government Key Agencies web page.

Local Authority planning authority liaison

Staff have been moving forward with the latest round of annual liaison meetings. These meetings provide an opportunity to discuss with each Local Authority Planning

team how the consultation process with SEPA is progressing, to look at any issues regarding the efficiency of service, and the usefulness of our responses, raising awareness of SEPA planning guidance and also to look at any site specific issues. The meetings will continue over the next few months but, so far, feedback to the Planning Service has been positive. In addition this year we have been promoting the option of joint liaison meetings with SEPA and SNH – which many authorities are keen to undertake - giving them the opportunity to meet both environmental/conservation agencies together at a local level.

#### Tidal Array, Montrose

SEPA responded to a Marine Scotland consultation for the placement of a tidal array to be located at the mouth of the Montrose Basin. Although not objecting, we did raise concerns regarding the potential impacts of this marine activity on the freshwater environment. As a result of this consultation, SEPA is to further develop joint working procedures and potentially a MOU with Marine Scotland in order to clarify our respective roles and remits in the marine environment.

#### Hunterston Public Local Inquiry

Ayrshire Power Limited (APL), the company which submitted a planning application for a new multi-fuel power station with carbon capture and storage at Hunterston in North Ayrshire, has announced that it is withdrawing its planning application and withdrawing from the current CCS demonstration project funding competitions. APL has taken this decision due to the level of uncertainty surrounding the ability to secure the necessary financial investment to build the power station in the foreseeable economic climate. The decision means that the Public Local Inquiry for the development will not now proceed this autumn.

#### Energy from Waste Plant, Invergordon

Combined Heat Power Ltd is appealing a decision by Highland Council to refuse planning permission for an Energy from Waste plant in Invergordon. SEPA was a statutory consultee to the original planning application for this plant and, after careful consideration of the environmental information, did not object to the planning application. A public inquiry is in progress. SEPA has indicated it does not intend attending the public inquiry, but has rather referred the Reporter back to our previous written advice, and offered to provide further advice on what would be considered as part of the PPC application determination.

## **1.4 Radioactive Substances**

### Regulation of operational and decommissioning nuclear sites and equivalent MOD establishments

A consultation on an application (re-authorisation) for the disposal of radioactive waste from the Hunterston A Magnox site commenced in June and will end on 20 July.

An update on the Planned Life Extension (PLEX) for Hunterston B has been received. EDF Energy NGL is seeking to extend the life of the station whilst continuing to operate between 65% and 80% of full power. An investment paper is being presented to EDF SA in September in order to finance the repair and refurbishment necessary to extend the plant life, and an announcement is expected from EDF by the end of the year, which will probably include the proposed length of extension.

SEPA attended the Dounreay site from 14-17 May to update Dounreay Site Restoration Ltd (DSRL) on our policy to revoke authorisations granted under RSA 93, and to discuss with DSRL how we will regulate site decommissioning and clean-up going forward.

### Regulation of Non-nuclear premises

An application for Stoneyhill Landfill, near Peterhead, to dispose of conditioned Naturally Occurring Radioactive Materials (NORM) waste has been determined and an authorisation was issued to the operator, SITA UK Ltd, with an effective date of 18 May.

### Dalgety Bay

Since 17 April, SEPA has continued its work to investigate the provenance of the radium contamination at Dalgety Bay, Fife. This investigation has included further laboratory analysis of material recovered from Dalgety Bay, together with additional field investigations to provide more data to the MoD investigation. Following SEPA's requirement to receive an investigation plan for the contamination in the terrestrial environment at Dalgety Bay, the MoD has provided SEPA with a plan and will undertake the necessary monitoring and retrieval work to protect the public while this work is carried out. SEPA continues to audit this work and has found several areas where the monitoring and assessment of sources has required improvement. SEPA held a meeting of the Dalgety Bay Forum on 11 June and provided an update to the local community council that evening. SEPA has also continued to offer support to the Fife Council and the Sailing Club.

### Dounreay Low Level Radioactive Waste Disposal Facility

SEPA will be undertaking a public consultation in July on the Dounreay Site Restoration Limited (DSRL) application for authorisation, under the Radioactive Substances Act 1993, for the disposal of solid low level radioactive waste in a series of near-surface concrete vaults to the east of the Dounreay nuclear site. The disposal facilities will not be a licensed nuclear site so there is no statutory requirement for SEPA to undertake such a consultation. However, given that the waste to be disposed of originates from the Dounreay nuclear licensed site, and there may be significant public interest, an eight week consultation period is seen as appropriate. SEPA has reviewed DSRL's application, the supporting Environmental Safety Case and associated documentation against national guidance on the near surface disposal of solid radioactive waste. It is considered that if SEPA were to authorise the facility, it would require a bespoke authorisation including regulatory controls intended to ensure that DSRL design, construct, operate and close the facility in a manner consistent with the assumptions and claims made in their Environmental Safety Case.

### Supporting the Nuclear Decommissioning Authority (NDA)

SEPA has been providing technical support to the work the NDA is leading to devise its strategy for managing the remediation and clean up of its 19 sites that are undergoing decommissioning. SEPA attended two NDA meetings and gave an update on on-going work to compile a policy for revoking an authorisation granted under RSA 93 at a nuclear licensed site. This work also complements other work led by the Office for Nuclear Regulation to review their policy for delicensing nuclear licensed sites.

### Schools event on living and working with radiation

On 16 May, staff from the Radioactive Substances Policy and Nuclear Regulation Units were involved in an event for S3 school pupils, held as part of the 13th International Congress of the International Radiation Protection Association ([IRPA13](#)) at the SECC in Glasgow.

1200 pupils from schools across Scotland came to the SECC for a keynote presentation on the importance of radiation in medicine, and to visit an exhibition on living and working with radiation, organised by the Society for Radiological Protection (SRP). SEPA took part in the exhibition, allowing pupils to carry out hands-on

monitoring for radioactive sources and learn about radioactivity and radiation in our daily lives using interactive exhibits.

## 2. PARTNERSHIP WORKING

### 2.1 Scottish engagement

#### The Scottish Energy and Resource Efficiency Service (SERES)

SEPA is part of the [SERES](#) partnership, which aims to provide business with access to environmental advice and support from various government agencies. A SERES environmental portal is also being developed and SEPA has met with Scottish Enterprise to discuss how this can complement the SEPA website, [NetRegs](#) and SE Web.

#### Forestry Commission – renewable energy projects

SEPA met with Forestry Commission staff and consultants working on renewable energy projects on Forestry Commission land. We set out our general support for renewable energy projects and stressed the need to address, early in the development process, issues including peat management and waste peat, felling to waste, ecological issues and impact on water quality in order to streamline planning and consenting regimes.

#### Scottish Transport Emissions Partnership (STEP)

SEPA, Transport Scotland and Scottish Government are currently working to establish the Scottish Transport Emissions Partnership (STEP) – a new group which will focus on transport-related pollutant emissions and their impact on urban air quality. An inaugural meeting is expected to take place in late July.

#### Formation of Zero Waste Management Group

The Zero Waste agenda is an ambitious programme of change with a cross-cutting agenda which requires close collaboration between the three central bodies, SEPA, [Zero Waste Scotland](#) and the Scottish Government to shape policy, support implementation and enforce the regulations. On 28 June SEPA formed a strategic governance group with the Scottish Government and Zero Waste Scotland that will be responsible for co-ordination, policy direction and project governance of the key work streams and teams that will now be established.

#### Establishment of Environmental Crime Taskforce in Scotland

The Environmental Crime Summit at the end of 2011 sought to increase awareness of these issues and at the event Richard Lochhead, Cabinet Secretary for Rural Affairs and the Environment, announced the creation of an [Environmental Crime Taskforce](#) in Scotland. The Cabinet Secretary has asked Calum MacDonald to chair.

On 29 June, the Taskforce held its first meeting, with membership including senior representatives from the SEPA, Crown Office Procurator Fiscal Service, Association of Chief Police Officers (Scotland), Society of Local Authority Chief Executives and Senior Managers (UK) (SOLACE) and SNH. The group has the remit to support delivery of the Scottish Government's commitment to tackling environmental crime by:

- a. Defining environmental crime.
- b. Identifying opportunities and priorities for tackling environmental crime in Scotland.
- c. Improving co-ordination between law enforcement agencies and others.
- d. Making proposals for legislation, research and other measures to tackle environmental crime.

### Grangemouth Regulatory Review Group

The group, chaired by Prof Russel Griggs, met on 17 May and is made up of representatives of regulators, industry, the local MSP and the Scottish Government. It was agreed that the broad aim of the group should be to put in place a regulatory framework which maintains the appropriate industry base and contributes towards the growth of the Scottish economy. The first meeting focussed on flood risk to meet the concerns voiced by industry that the perception of flood risk in the area was deterring investment. A timetable for refinement of flood risk maps was agreed and this will fit with the production of flood risk management plans which will assist to prioritise funding for flood defences across Scotland. The next meeting will focus on Industrial Emission Directive and Waste Framework Directive issues, with flood risk being revisited to review the updated flood maps.

### River Dee District Salmon Fisheries Board Training Event

SEPA provided a training course on 16 May about Controlled Activities Regulations and pollution incidents to staff members at the Dee District Salmon Fisheries Board (DDSF), including the river bailiffs. South Grampian-based water specialist Sam Fleming gave a detailed presentation on legislation pertaining to the water environment and how Fisheries staff can help Operations teams by reporting incidents. The presentation was followed by a question and answer session. The DDSFB staff gave very positive feedback.

### “Achieving Policy Impact Through Understanding Behavioural Change” Workshop—20<sup>th</sup> June, SNH Battleby, Perth.

A workshop was organised to facilitate the Public Engagement workstream under the Scotland’s Environment Web (LIFE+) project (SEWeb). The focus of the workshop, which I chaired in the morning, was to develop a better understanding of what motivates behaviour and how behaviours can be influenced, and in particular to explore the hypothesis that better web-based information about the environment leads to better engagement in debating environmental priorities, monitoring the environment and taking action to protect it. Working with representatives from a range of public environmental agencies and organisations, ideas were explored and shared on how the theory of behaviour change could be applied in order to achieve a greater impact from the development and implementation of environmental policies and projects. Attendees included representatives from Scottish Natural Heritage, James Hutton Institute, SEPA, Keep Scotland Beautiful, British Trust for Ornithology, Historic Scotland, Marine Scotland, Education Scotland, British Geological Survey, Conservation Volunteers, NHS Health Scotland, Scottish Government, SNIFFER and Forestry Commission Scotland, all of whom brought interesting experiences to the discussion. A full report on the workshop, actions and recommendations will be produced.

### SEPA support for emergency planning exercise ‘Exercise Kirkhill’

Exercise Kirkhill was set up on 15 May to test the Grampian Strategic Coordinating Group (SCG) Pipelines Emergency Response Plan and involved a multi-agency response to a major incident affecting the Forties Pipeline System in the Grampian area. SEPA participated with other major Category 1 responders, and was represented at this exercise by four members of the South Grampian Team, Resilience support, and two members of the Air Hazard Emergency Response (AHER) team. The North Technical Support Unit represented SEPA on the exercise planning group. All participants found the day extremely worthwhile and the exercise forged closer work ties across the SCG partnership.

### SEPA support for “Exercise Finnart”

Two representatives from the AHER Field Response Teams attended “Exercise Finnart” at Clyde Off-site Centre in Rhu on 13 June. This was a multi-agency exercise centred on a major incident at BP Finnart oil terminal. There were five scenarios of

increasing severity, and the purpose of the exercise was to ensure all the agencies were aware of their roles and responsibilities in this scenario. The other agencies taking part were Strathclyde Police, Strathclyde Fire & Rescue, the Maritime & Coastguard Agency, Scottish Ambulance Service, NHS Highland, and Argyll & Bute Council. It provided an excellent platform for promoting awareness to the other agencies of the AHER capabilities and also learning about their involvement in emergency response. A full debrief from the exercise will be available later in the year.

## 2.2 UK engagement

### Upgrade of Emissions Trading System Workflow Automated Process

In the UK, all monitoring and reporting functions for the [Emissions Trading System](#) (ETS) are conducted through an online system called ETSWAP (Emissions Trading System Workflow Automated Process). ETSWAP has been developed in modules to allow for the stepped introduction of improved and expanded functions. The next development step, Module 3, incorporates all the updates to the existing system that are necessary for Phase III of ETS (2013-2020). SEPA's ETS team within the Air, Industry and Carbon Reduction Unit are working closely with the Environment Agency on the improvement and testing of ETSWAP before Module 3 goes live. A major milestone will be the end of July when revisions to ETSWAP will be made to enable operators to apply for Phase III permits. All ETS operators will need varied or new permits by 1 January 2013.

### Environmental Protection UK (EPUK) Executive Committee (Scottish Division) Meeting

[EPUK](#) has undergone significant restructuring and the intention of the Scottish Division is to form a new charity called Environmental Protection Scotland (EPS). SEPA is represented on both the EPUK Scottish Division Executive Committee and the EPUK Air Advisory Group.

### Emissions Trading Scheme (ETS)/Carbon reduction/Carbon Capture and Storage (CCS)

- i SEPA officers participated in the quarterly face-to-face meeting of ETS regulators in Belfast in May. The main topics of the meeting were the preparation for Phase III of ETS (2013-2020) and discussions on interpretation of Phase II and III issues.
- i SEPA hosted the fourth meeting of the ETS CCS Task Force in Glasgow on 14 and 15 June 2012. The Task Force is a technical working group which meets annually to discuss the EU ETS monitoring and reporting plans and guidance for CCS. Delegates heard a number of presentations and also undertook a site visit to the CCS test facility at Doosan Power Systems
- i SEPA officers attended the Thermal Generation & Carbon Capture and Storage Industry Advisory Group in Glasgow in June. These meetings are chaired by Fergus Ewing MSP and focus on strategic understanding on forthcoming energy, CCS and thermal generation requirements. The meeting considered developments in the Electricity Market Reform and associated implications for the roll out of CCS, in addition to hearing a presentation and considering a brochure from Scottish Enterprise on Enhanced Oil Recovery (EOR).
- i SEPA officers also attended the inaugural meeting of the BSI CCS Standards Committee in Chiswick on 24 May 2012. The International Standards Organisation has recently established an international standards committee for CCS (ISO/TC 265) and its first meeting will be held in June in Paris. In response, the BSI has recently put in place the UK national mirror committee.

## 2.3 European engagement

### EU Environmental Technology Verification Pilot Programme

SEPA is a member of the steering group of this [programme](#) (chaired by the European Commission) and attended by Defra and representatives of ETV schemes in other member states. Of particular relevance at this time are the synergies in terms of ETV helping Scotland to achieve the goal of becoming a Hydro Nation and ETV could potentially help with the following Hydro Nation goals:

- i Deliver economic gain – by facilitating in-country expertise in clean technologies to be taken up by the water sector both locally and internationally
- i Help tackle climate change – adoption of clean technologies by the water companies to reduce emissions from treatment of water and wastewater.

The enterprise agencies are developing a three year action plan to secure economic benefits from the water sector in Scotland. They are currently undertaking a feasibility study of an Innovation Park to test new products, facilitating proof of concept, EU accreditation and climate change resilience.

### EU ETS Workshop in Belgrade

Lee Oliver represented SEPA at an ETS Workshop in Belgrade on invitation from the European Commission's Technical Assistance Information Exchange Instrument. Lee gave six presentations discussing a number of topics including the UK's experience with ETS auctioning, registry and monitoring and reporting.

### SEPA involvement in European Commission soil policy development

Mark Aitken (of SEPA's Land Unit) has been asked to take the role of Expert Advisor to the Committee of the Regions<sup>2</sup> working on the Soil Thematic Strategy and possibly the future Soil Framework directive. Mark is working with Councillor Corrie McChord, Leader of Stirling Council (an ex SEPA board member) who is the rapporteur for the Council of Regions and also Serafi Pazos-Vidal, who is head of the COSLA office in Brussels. This is an excellent opportunity for SEPA to contribute to the EC soil policy development. Mark's work to date has seen him draft an Opinion paper – Soil Thematic Strategy for Councillor McChord which was presented and discussed in Brussels on the 26<sup>th</sup> and 27<sup>th</sup> June by other EC member states. Mark's role as an expert advisor to Councillor McChord and Council of Regions was been agreed and approved by SEPA and Scottish Government.

## 2.12 Enforcement action

On 21 June a man from Midlothian was given a 160 hour community service order at Edinburgh Sheriff Court for disposing of controlled waste, namely wood, plastics, plasterboard, fibreboard and other mixed waste on land by burning, otherwise than in accordance with a waste management licence. More details can be found on SEPA's website [here](#).

## 3. SEPA Business

### 3.1 Performance & Quality Management

#### Annual Operating Plan update

SEPA's [Annual Operating Plan](#) 2012-2013 identifies a set of 22 performance measures, of which eight were due to be reported at the end of May 2012; six had green status, one had amber status and one had red status.

<sup>2</sup> [Committee of the Regions](#): The EU's Assembly of Regional and Local Representatives

Performance has improved in respect of time taken to deal with planning consultations since 1 April, moving from amber to green status, with 93% of planning consultations responded to in time by the end of May, against a target of 90%. This improvement was due to proactive management of the service and a positive approach by planning officers and internal consultees.

Performance is stable for the remaining five indicators with green status at the end of May.

Performance for delivery of the Environmental Monitoring Plan was on amber status at the end of May because only 91% of the sampling activities scheduled for this year to date had been completed, against a target of 95%. However, performance is expected to improve in July after the plan is baselined on the National Environmental Monitoring System (NEMS)<sup>3</sup>, and the training of five temporary sampling staff, recruited for the bathing water season, has been completed.

Performance for reducing greenhouse gas emissions from our use of transport was on red status at the end of May. Since 1 April our emissions have increased compared to the same period last year. Actions to address this underperformance are being taken in June and July. Directorates have been provided with a breakdown of emissions generated to enable areas of poor performance to be identified and targeted for improvement. Presentations on reducing greenhouse gas emissions from transport will be delivered to Directorate Management Teams by the end of July.

#### Quality Management

SEPA has three quality and environmental management standards:

- i [Lloyd's Register Quality Assurance](#) (LRQA) audits our performance against the standards ISO 9001 (quality) and ISO 14001 (environmental);
- i [The United Kingdom Accreditation Service](#) (UKAS) audits the performance of nominated activities in our laboratories against ISO 17025 (testing and calibration).

Progress continues to be made in addressing the actions raised following the recent surveillance visit from LRQA, and management review meetings have been held in each directorate and with the AMT, and actions have been noted to identify ways to improve our business management system.

The annual UKAS surveillance visit concluded in June following a review of the testing and sampling activities across SEPA's sites and functions. It was a very positive visit and UKAS noted that the changes over the last year have resulted in a greater understanding of the business management system and accreditation requirements. UKAS recommend that accreditation to the standard is maintained once the identified findings have been cleared. There are notably fewer actions raised than in previous years, and many identify opportunities for improvement. Significantly UKAS stated that this year saw SEPA's highest compliance with ISO 17025.

#### Cities Agenda

At my request, Environmental Strategy colleagues organised an internal workshop on Thursday 24 May to map out what SEPA would wish to achieve in its contribution to the Cities Agenda. SEPA already has a good track record of influencing urban policy and delivery; however there is real scope for us to make a difference at a very strategic level. The Cities Strategy fits well with SEPA's new Corporate Plan and our commitment to deliver our integrated objectives of protecting and improving Scotland's environment, and contributing to sustainable economic growth. At the

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<sup>3</sup> [NEMS](#): SEPA's purpose built electronic database system.

workshop, we identified areas for taking this agenda forward and we plan to build on these over the summer months to map out a clear direction and action plan for SEPA. One of the key tasks identified was to have a strong, consistent and clear position on city development based on clear principles (e.g. social justice, sustainable growth etc) which may go beyond specific environmental impacts, to ensure SEPA is clear why it should be engaging in the cities agenda and what added value it hopes to achieve.

#### Social Productivity Approach

SEPA and SNH have jointly commissioned research with the [2020 Public Services Hub](#) at the Royal Society of the Arts (RSA) to explore how new relationships between public bodies, businesses and citizens could drive better environmental outcomes, and underpin better social and economic outcomes over the long term. The 2020 Public Services Hub has established a body of work assisting public service organisations to reframe their future through a socially productive lens. The Hub's model provides a new way of looking at the challenges facing public services and promotes different ways of working to make the most of the opportunities. This is a new and challenging area for SEPA but one we considered worth exploring in the light of the 2011 Christie Commission report on the Future Delivery of Public Services with a key message stating, 'unless Scotland embraces a radical, new, collaborative culture throughout our public services, both budgets and provision will buckle under the strain'.

This project proposes to analyse SEPA's core role within the changing public policy context, and to develop and test the delivery of a bespoke socially productive theoretical model, applying the ideas contained within the 2020 Public Services Trust report within a Scottish environmental protection context, to assist SEPA meet its future challenges and maintain high environmental standards. There will be engagement with internal and external stakeholders, including Board members, to help inform the outcome and the work is due to be completed in November 2012.

### 3.2 **Organisational Development (OD)**

#### HR

The headcount at 1 June 2012 was 1205 (1139.96 FTE) which showed a slight increase from the May figure of 1203 (FTE 1138.26).

As I mentioned in my last report to the Board, SEPA's pay remit for 2012/13 was approved by Scottish Government in April and a formal pay offer was made by management to Unison. Negotiations are continuing between SEPA Management and Unison on the pay offer and, as soon as agreement is reached, staff members will be advised accordingly.

With respect to staff appraisals, I am delighted to be able to confirm that we exceeded our target of completing 95% of appraisals by the end of June 2012, with an actual completion rate of 97.65%. This will provide us with a firm basis on which to move forward in developing our appraisal process and giving staff a greater sense of how their individual performance is linked to the corporate objectives.

For 2012/2013 SEPA has agreed a number of corporate objectives which will be set as performance targets for all directorates, one of which is aimed at reducing the number of occasions of absence within each directorate. OD will provide the data to support this corporate objective, and absence continues to be monitored to ensure that SEPA has the resource it needs to carry out its duties and reduce its costs. In addition, this indicator will ensure that managers are working with their staff to identify and resolve any issues which are affecting short term persistent absence by ensuring that the Managing Attendance policy is followed appropriately.

Members of OD team, together with representatives from other directorates, attended a training workshop on Equality and Diversity which was led by Brodies Solicitors. The training focused on the [Equality Act \(2010\)](#) and, in particular, the protected characteristic of Disability. The aim of the workshop was to increase the skills and confidence in advising on and managing cases of absence, misconduct or poor performance where the employee may have a disability and be protected by the provisions of the Equality Act. Brodies also provided an update on the Equality legislation and relevant case law. The feedback from this session has been very positive and OD is in the process of looking at how best to extend this training to managers across the business.

#### Health & Safety

At the National Health & Safety Committee on Tuesday 19 June, the Health and Safety Unit (HSU) presented a report on the Health and Safety Achievements for 2011/2012, incorporating a Health and Safety Plan with corporate objectives for 2012/2013. Each Directorate submitted reports on their health and safety achievements for 2011/12 and set out their Directorate plans for managing health and safety.

There has been a significant reduction in Reporting of Injuries, Diseases and Dangerous Occurrences Regulations 1995 ([RIDDOR](#)) over three-day reportable incidents, from five incidents reported over the period 2010/2011 to only one incident reported in 2011/2012. This improvement is underpinned by the continued awareness of health and safety in the workplace and the efforts by Directorates to improve their health and safety performance. There continue to be no RIDDOR reportable incidents so far in this financial year.

The provision of appropriate health and safety training continued throughout 2011/2012 and 384 training places on the various courses offered were taken up by Directorates, in addition to e-learning provision.

#### Learning & Development (L&D)

Learning and Development have undertaken a review of the corporate induction programme, taking into consideration feedback received from key directorate representatives and staff members. The launch of the new format corporate induction took place in March 2012 and, to date, three events have been delivered to 40 staff members.

My Development, the Agresso system which supports our learning and development activities, continues to be embedded within SEPA's working practices. There has been an increase in the number of managers and staff using the system to request relevant training for their role and recording their learning. To date, 43% of the organisation has recorded their competency data and this continues to be a focus for identifying and delivering appropriate training and development.

### **3.3 Freedom of Information**

Between 9 May and 29 June, 65 requests were formally logged and 64 requests were completed. Three Formal Reviews were logged during the reporting period and are ongoing. One Formal Review was completed and further information was released as a result.

The [Environmental Information \(Scotland\) Regulations 2004](#) (EIR) enquiries received relating to water issues covered a variety of subjects including flooding, CAR licences, abstractions, chemistry data, flow data and fish farms. Four of the EIR enquiries relate to Radioactive Substances issues, mainly concerning contamination.

Freedom of Information (Scotland) Act 2002 (FOISA) requests were received regarding SEPA's buildings, use of vessels and the use of photographers by SEPA.

We have been notified of the submission of an Appeal to the Scottish Information Commissioner and are awaiting further correspondence on the matter.

### **3.4 Customer Service Complaints**

During the reporting period, three Stage 1 and two Stage 2 Customer Service Complaints were logged. Four Stage 1 complaints were completed. Three of the complaints were not upheld and one was partially upheld.

A Stage 2 investigation relating to licensed waste management activities was also completed and it was determined that the findings of the Stage 1 complaint be upheld.

Seven of the original 17 complainants regarding a waste issue at Ayr Docks sought a Stage 2 Review. The review related to an element in the original complaint which had originally been upheld in the Stage 1 response. The Stage 2 Review confirmed the findings of the original complaint.

During the reporting period, SEPA has not been notified of any new referrals made to the Scottish Public Services Ombudsman (SPSO) and there are no investigations ongoing.

### **3.5 Office Accommodation**

#### Angus Smith Building, Maxim 6, North Lanarkshire

The initial fit-out of the office areas with the installation of lighting, heating and ventilation and some other services, has been completed. Detailed layout designs for the lab areas are nearing completion, and it is anticipated that SEPA will soon be in a position to sign these off. This will allow final tender prices to be obtained from the four tendering contractors during September, and the appointment of the preferred contractor during October. Work is also continuing (led by Facilities) on the requirements for the Off-Site Facility required to replace the Tennant Avenue site.

The preferred proposal for the rectification of the vibration issues was approved by the Programme Board on 18 June. The design team has been instructed to commence work on the Tender Addendum based on the agreed design and this will be issued to all four tenders submitted.

A draft business migration plan is being prepared, outlining how critical business processes will be maintained or enhanced as we move to the new facility, and factoring in the possible delay caused by the vibration stabilisation work. Work on migration has already commenced in some areas (e.g. ongoing discussions with UKAS on requirements for transfer of lab accreditation).

Following feedback from 1:1 interviews with staff, a staff transport survey has now been completed and the output is being reviewed.

### **3.6 Office accommodation**

#### Lochgilphead

A paper was agreed by AMT on 7 June, proposing sharing office accommodation with the Scottish Children's Reporter Administration (SCRA) at their building in Lochgilphead. Initial discussions have taken place with SCRA, and a visit with the

architect and local unit manager took place in early July to prepare plans for the fit-out of the space.

### 3.7 Press Overview

#### Media coverage

Between 1 May and 30 June there were there were 835 articles mentioning SEPA. There were also 101 media enquiries during this time from various print, broadcast and online media.

The most covered topic in this time frame was radioactivity (380 mentions – 45% of the coverage), including possible contamination at MOD/former MOD sites, and the extension of the FSA ban at Dalgety Bay. Flooding at the end of June also created a lot of interest (160 mentions – 19% of the coverage)

Seven media releases were issued, six of which resulted in coverage (86%).

There were 84 articles as a direct result of proactive work by the media team, providing an advertising equivalent of £6,652.66.

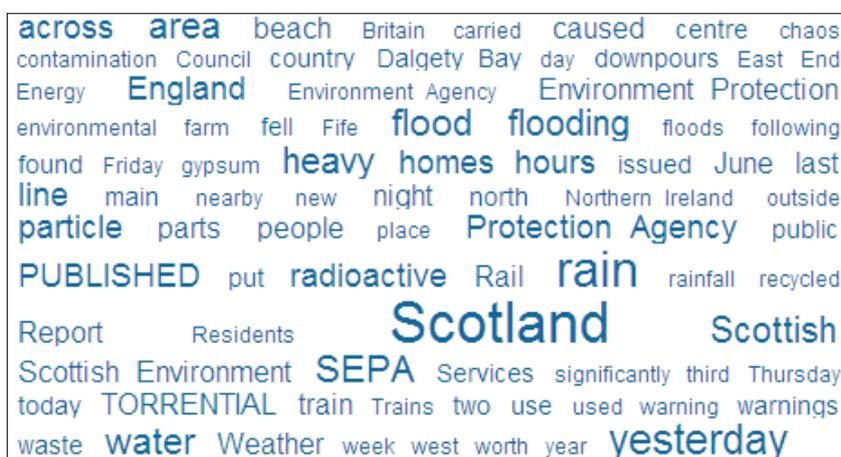
Other stories which have gained a lot of coverage include:

- Campaign to clamp down on metal theft;
- Good Beach Guide results;
- Coverage of our Better Regulation plans.

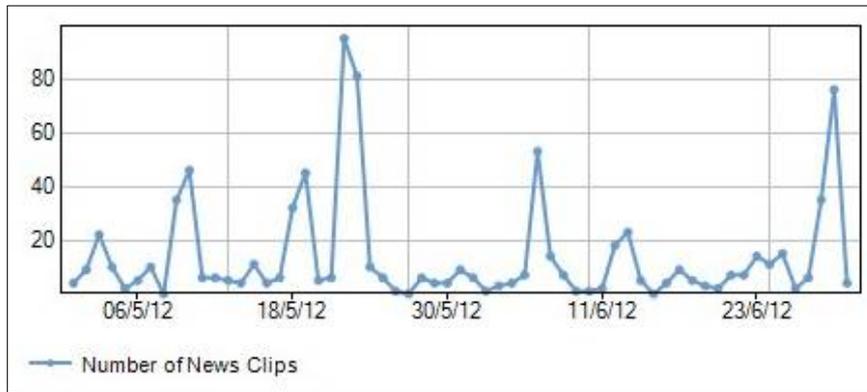
There were 83 supportive articles (10%), 731 neutral or balanced articles (87%) and 21 critical articles (3%).

Coverage was predominantly online (516 articles) with significantly fewer national (161) than Scottish local sites (352). There were also three articles in international online media. For print the majority was local coverage (164 articles) with 113 in national media. There were 45 broadcast pieces (13 national, 32 local).

The word cloud below shows the most commonly used words in media articles about SEPA. The bigger the word, the more times it has occurred.



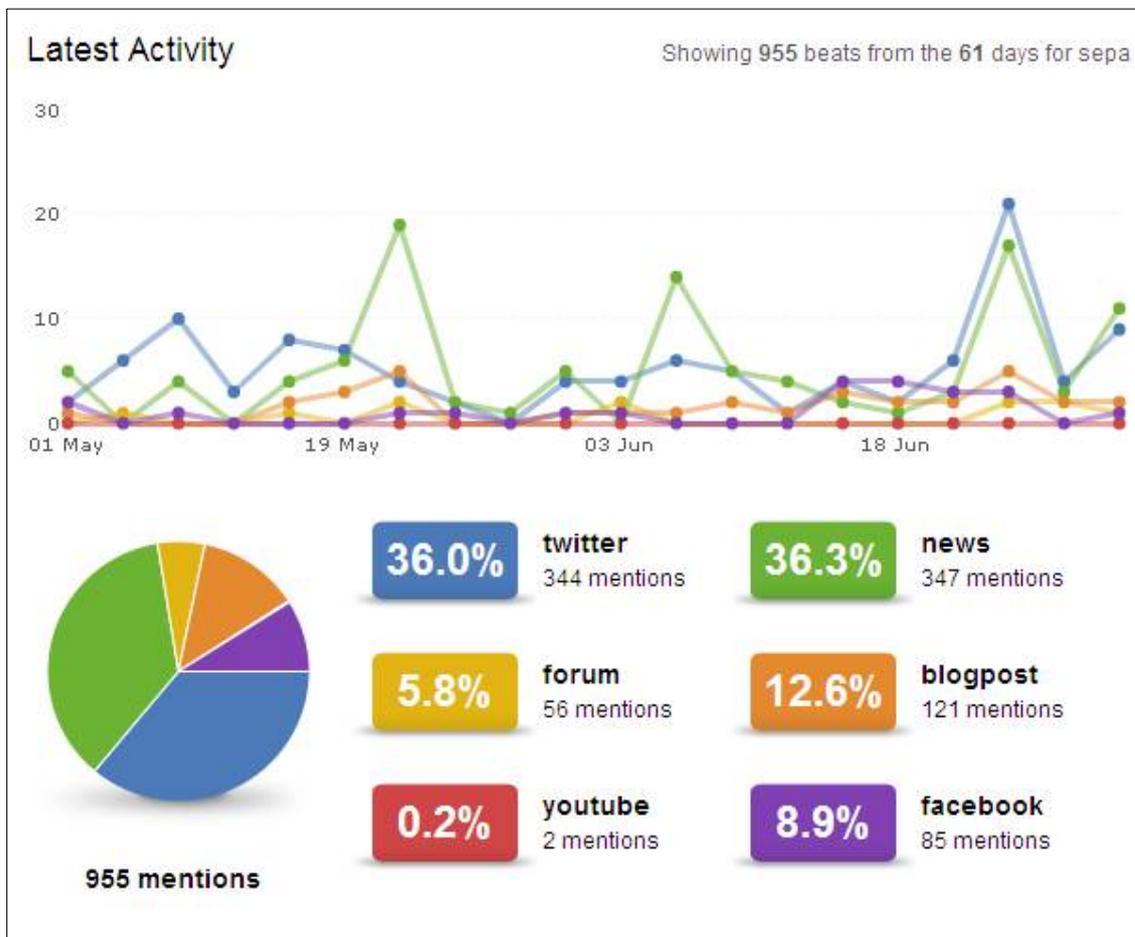
Below is a chart showing the amount of coverage over the two months since the last report. The two largest spikes are due to the announcement of the FSA's ban at Dalgety Bay being extended, and flooding at the end of the month.



Social media coverage

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

The chart below shows the number of mentions about SEPA (including retweets of our posts) which occurred during May and June.



Retweets, of which there were 101, largely consisted of flooding alerts, our warning about the use of [gypsum in animal bedding](#) and the FSA ban at Dalgety Bay, all of which were widely re-tweeted by people. Also gaining a lot of coverage was our attendance at the Royal Highland Show attendance and the photo competition we ran ahead of it.

