



## Agency Board Meeting 24 November 2020

Board Report Number: SEPA 40/20

### Chief Executive's Report

**Summary:** The Chief Executive's Report highlights the progress we are making becoming a Phase 2 Environment Protection Agency. The report includes updates on:

- Significant deliverables and milestones in relation to our Annual Operating Plan
- Other work that is critical to Phase 2
- Staff welfare
- Activities which have a high media profile
- Activities which have a high impact on stakeholders
- Areas that Board members have asked us to include

**Risks:** N/A

**Resource and Staffing Implications:** The requirement for extra resource to deliver some of our key activities is referred to in section 3.1.

**Equalities:** Equalities considerations are being embedded in our Response and Recovery work and are referred to in section 3.1.

**Environmental and Carbon Impact:** The articles in this report demonstrate the ways we are continuing to protect and improve the environment.

**Purpose and audience of the report:** For information  
Agency Board

**Report Authors:** Terry A'Hearn, Chief Executive  
Kelly Mathewson, Senior Business Consultant, Business Strategy Team  
Craig Ballantyne, Junior Business Consultant, Business Strategy Team

**Appendices:** None

## Chief Executive's Report

### Introduction

Over the past few weeks, we have made important strides in our response and recovery work. Progress has been made on key logistical challenges such as making ASB a covid-safe workplace and implementing the protocols for access to the building, arrangements being put in place for the safe collection and processing of mail, a series of guidance being agreed and provided to staff on multiple issues, MS Teams is being deployed to most staff, etc.

In addition, we have continued to work on ways to support the mental health and well-being of staff. In the early months of the lockdown, our emphasis was mainly on helping staff adjust to working from home, making sure staff were as safe as possible from the risk of both contracting and spreading the virus, adjusting work patterns and trying to ensure staff were reassured and set up for the initial lockdown period. In recent times, these issues have continued to be priorities and we have also added an increasing focus on the medium-term mental health and well-being of the workforce. This has become more important as the lockdown continues and heads into the winter months.

Finally, a lot of work is going into ensuring the business planning, budgeting and change processes are better connected, more effective and less time-consuming than in some previous years. These processes are always hard, but much more so when an organisation is attempting major change. It is proposed that a lot of time at the November, December and February Board meetings is spent on these essential business processes so that the Board can make well-informed decisions that set us up well for a year of implementation in 2021-22.

**Terry A'Hearn  
Chief Executive Officer**

## 1. Regulation

### 1.1 Mossmorran (Ian Buchanan)

A flaring event at the Exxon Mobil facility over the 4 to 6 October led to over 800 public complaints. We responded to the event by deploying regulatory staff, undertaking scientific measurements and providing updates to the community and other stakeholders. We are undertaking follow up investigations, including assessment of the incident report which the company must provide.

There is a significant package of regulatory action ongoing to require compliance. Despite the COVID-19 situation all areas are making progress. Updates are provided below in relation to infrastructure improvements which are required through the permit to reduce the impact of flaring on local communities:

- **Installation of a low noise elevated flare tip.** A major plant turnaround at the Exxon Mobil facility has been delayed from this year to 2021 due to COVID19. This delays the installation of the low noise flare tip. Following notification and application from the company, we have varied the Pollution, Prevention and Control (PPC) Permit requiring that the existing tip cannot now be used beyond 8 May 2021.
- **Installation of new totally enclosed ground flares.** ExxonMobil has committed to installing the ground flares by the end of 2023. We are getting regular updates on progress. Following the latest update, we are happy with the technical proposals for the ground flare. However, we are carrying out a detailed technical assessment of the timelines for installation, with support from an independent technical advisor, in order to be satisfied the ground flare will be installed as quickly as possible.

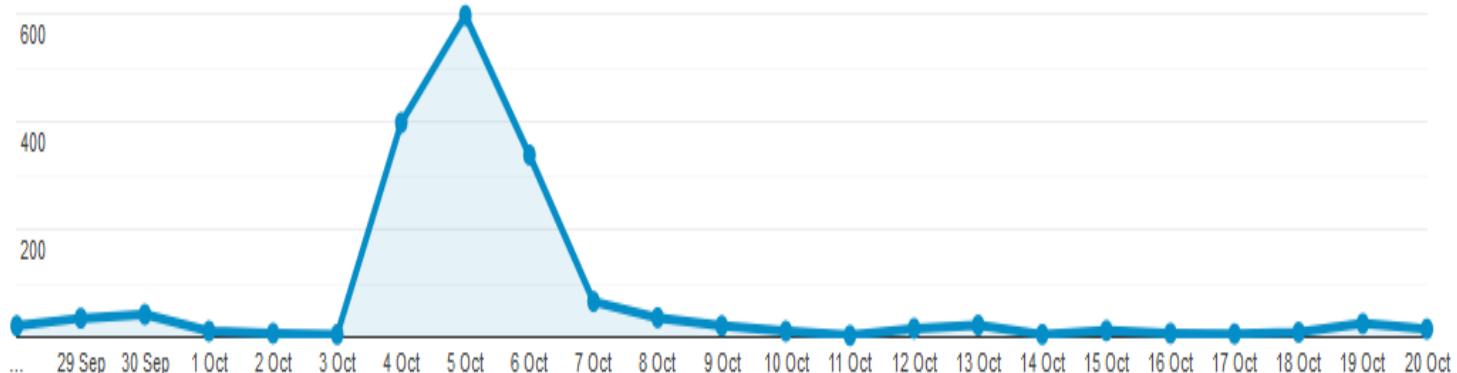
#### 1.1.1 Media information (Terry A'Hearn)

There were 90 media articles about the flaring that began on Sunday 4 October. This included an interview on the site with STV and 89 pieces of online coverage.

We published regular updates on our Mossmorran Hub and social media. We also issued a community update to our Mossmorran newsletter subscriber list. The below chart shows visits to our Mossmorran Hub between 28 September and 20 October. The total unique page views were 1,708.



Page Views



### 1.2 Regulatory Checking and Compliance Programme (Ian Buchanan)

Over the first six months of the business year, a programme of largely remote checks has been undertaken. This is targeted at sectors and sites either most significant to the response to the public health emergency, or where there is the most significant non-compliance. At the end of September over 1200 checks had been undertaken across more than 700 licensed sites. These

checks included interactions with sites with the potential to cause community impact (27 sites) and over 100 high hazard sites.

Following a review of the initial programme of checks, a refreshed regulatory plan has now been finalised for the remainder of 2020-2021. This will involve (COVID-19 restrictions dependant) a significantly increased proportion of on-site checks. The programme will check around 900 sites in key sectors, high hazard activities and sites which have the greatest impact on communities. This programme will also include any sites which raised concerns during our remote checking in the first half of the business year.

### **1.3 Compliance Assessment Scheme (Ian Buchanan)**

Draft assessments for 2019 have been issued for the failing sites. We are working through feedback from some operators and sectors towards finalising ratings prior to publication. COVID-19 has meant that there has been delay in both us being able to follow the normal process, and operators getting back to us.

### **1.4 Brewdog, Ellon, Aberdeenshire**

Brewdog have ambitious plans to be carbon negative and are looking at all aspects of their business to help achieve this. At their brewery in Ellon they have applied for planning permission for anaerobic digestion and effluent treatment plants to recycle waste water and turn waste products into energy (including biogas for vehicles) that they can reuse on site.

The site has several challenges including available footprint and proximity to sensitive receptors. We are working closely with Brewdog and their consultants to support them in finding the right solutions for both the business and the environment at both the planning and permit application stages. The project is also time sensitive as Brewdog need to meet the requirements of the Renewable Heat Incentive scheme.

### **1.5 SSE Renewables, Viking Windfarm, Shetland**

The construction of the infrastructure to support the Viking Windfarm on Shetland, which will be largest onshore windfarm in Scotland, began recently.

The Viking Windfarm will be developed over an area of 7,000 hectares with an associated 75km of access tracks to service the construction of 103 turbines, each of 150m height. The construction work will result in the displacement of around 1,250,000 tonnes of peat, much of which is intended to be used in the restoration of 260 hectares of degraded peatland. The project is planned to take four years to complete.

This is without doubt the most contentious project in recent history in Shetland and the level of scrutiny is high. There is high expectation that we and other regulatory bodies, will protect the environment and ensure that the developers meet the terms of the various statutory approvals that are in place to control the management of construction site water and waste arising from the project. Anti-windfarm groups are monitoring the activities of the developer and we expect to receive a large degree of contact from community members and groups. We are actively engaging with SSE Renewables, their main contractor (R.J. Macleod) and with community representatives.

### **1.6 Partnership and Enforcement Operational outcomes (Ian Buchanan)**

We continue our efforts to deliver outcomes and interventions through partnership working. In September, we were advised by Police Scotland that individuals connected with both the operation of licenced waste management facility and an illegal waste disposal site which had been subject to our interventions, had been arrested and appeared at Court. This was for offences in relation to the supply of drugs and connection to serious and organised crime.

## 1.7 Enforcement Reform Project (Ian Buchanan)

The project is now underway, with the core project group established and several meetings have now taken place. The main areas have been grouped into three key work streams as can be seen in the diagram on the right. This takes account of a sector approach and delivery through partnership as key overriding themes. Several areas of practical work under these three workstreams are now live including:

- Enforcement Improvement Forum - to identify and act on opportunities to simplify and improve key enforcement guidance / processes.
- The Illegals Site Matrix – the establishment of a corporate matrix of all sites where illegal activity is known/suspected. This will allow information on the scale, extent, type and sector of illegal activity to be kept up to date. This will support decisions on priorities, strategy and tactics and be used as part of measuring performance and outcomes.
- Developing our approach to tackling “environmental Organised Crime Groups” (eOCGs) - this will incorporate learning from the Environment Agency through the Joint Unit for Waste Crime and Police Scotland. This is important in order to tackle and reduce the number of instances of deliberate serious waste crime which can have a significant impact on the environment, communities, compliant businesses and the economy.



## 1.8 Variable Monetary Penalties (Ian Buchanan)

Our consultation on the process for calculating Variable Monetary Penalties (VMPs) is now live on our [Consultation Hub](#). This is a significant milestone as the final key element of the Variable Monetary Penalties framework. This needs to be in place to enable the use of Variable Monetary Penalties as part of our enforcement toolkit. We have already undertaken engagement with the Crown Office and Procurator Fiscal Service, the Scottish Government and industry representatives. This was positive in indicating industry support for the use of this enforcement measure to tackle non-compliance and illegality, which is having a negative impact on businesses. This is particularly relevant given our focus on supporting COVID-19 recovery. While the consultation is running, we will host engagement sessions with interested parties, weeks commencing 16 November and 30 December.

We will also be running sessions with staff in November and December, to raise awareness, understanding and test our guidance on how to use Variable Monetary Penalties. This is to ensure we are set up to support staff to use them going forward. We anticipate we will be ready to use these early in 2021, after we consolidate and incorporate any consultation feedback.

## 1.9 Permitting (Ian Buchanan)

Our permitting activities continue to deliver well from a home working environment. September and October have been challenging, as in addition to the volume of applications and pre-applications, we also had to deal with a large volume of enquires arising from the billing run. These are related to invoices, applications for mothballing sites and updating charging records.

**Aquaculture licence review project:** Progress on transitioning all current licences onto the new simple, outcome-focussed permit is being made. We are finalising the data gathering and preparatory work. The first batch of licences will be reviewed in November and December with the

rest being reviewed by April 2021. A positive meeting with the industry was held on 29 September to share with them the plans for transitioning their licences into the new framework.

### **1.10 Simple outcome-focused permits (Ian Buchanan)**

Marine Pen Fish Farm: A version of the template to be used for the review project (including transitional monitoring arrangements and additional controls over well boat conditions) has been agreed and finalised after several sessions with the industry.

Whisky Template: Following consultation with the industry on the template and the underpinning policy, we are setting up meetings with the sector with a view to finalising the template by March 2021. No reviews are planned at this stage.

Strategic Infrastructure Template: We have finalised the Strategic Infrastructure template for large road projects and delivered training to Permitting staff. We are currently in discussion with Transport Scotland on key areas, which could significantly improve the determination process for these types of applications.

Construction Run-off Template: We have finalised the new Construction Runoff Permit (formerly the Construction Site Licence), which will significantly reduce determination times for applications. Like all new templates, it will reduce needless bureaucracy while also delivering more enforceable conditions. The template has been developed quickly as a result of the work done on the Strategic Infrastructure Template.

### **1.11 Digital Online (Ian Buchanan)**

Our digital licensing team was named as the Information and Communication Technology Team of the Year at the 2020 Connect Awards, “Holyrood’s flagship public sector Information and Communications Technology event”. This is the second year in a row that the team has won the award. This award is in recognition of the work the team does to successfully transform our licensing services. Using the technology platform, skills and attitudes developed during 2019, the team has now delivered septic tank registrations, radioactive substances notifications and waste exemption registrations into public testing.

The table below outlines the number of online applications we receive, income and customer satisfaction ratings. Figures for September are as follows:

Service	No. authorisations	Income (£)	Customer satisfaction (%)
Septic tanks	156	22 620	93
Radioactive substances	1	0 (Free)	100
Simple waste exemptions	229	0 (Free)	91
Waste carriers and brokers	43	9 546	90

### **1.12 Business Reform (Ian Buchanan)**

A Systems Thinking approach and process will be used to structure and deliver Permitting Business Reform. The first step is appointing a contractor to deliver training and provide support. Following a competitive tender process, we have been able to appoint a contractor and we can significantly progress this work over the next two months.

### **1.13 New Waste Regulation (John Kenny)**

The Waste (Miscellaneous Amendments) (Scotland) Regulations 2020 were laid before the Scottish Parliament on 9 October. These regulations transpose parts of the EU Circular Economy Package into Scottish Law. They make minor changes to some definitions and to provisions regarding hazardous waste management. Importantly, these regulations also implement the

extension to the ban on sending Biodegradable Municipal Waste to landfill from 1 January 2021 to 31 December 2025. This extension was announced by the Cabinet Secretary in September 2019 and remains in line with previous advice provided by the Committee on Climate Change on action needed to meet net zero emissions targets.

### **1.14 Oil and Gas Decommissioning (John Kenny)**

The Decommissioning Regulatory Hub ("DecomRegHub") website ([www.decomreghub.org.uk](http://www.decomreghub.org.uk)) is now live. It is leading the sector to a better understanding of the regulatory requirements for offshore oil and gas decommissioning activities. The team recently presented a webinar on the project to the sector, hosted by [Decom North Sea](#). This webinar registered the highest industry attendance for a presentation hosted by Decom North Sea, demonstrating the appetite for this initiative within the sector. The [joint agencies](#) within the DecomRegHub have reviewed and responded to a number of questions posed by the industry trade body, Oil and Gas UK.

Through the DecomRegHub, we recently facilitated swift resolution of the environmental, and health and safety regulatory challenges posed by the escape from moorings of part of the Buchan Alpha platform at Dales Voe in Shetland. We did this by ensuring all relevant regulatory agencies were convened to provide a collective response. Through the stakeholder engagement enabled through DecomRegHub, we are becoming increasingly recognised as a significant voice influencing discussions within the decommissioning sector on green recovery, achieving net zero, and the circular economy.

We are also seeing a dramatic rise in applications for offshore decommissioning. The increase in applications is due to the fall in global oil price and the overcapacity in drilling platforms.

### **1.15 Transfrontier Shipment (John Kenny)**

Through our partnership work with the European Network for the Implementation and Enforcement of Environmental Law (IMPEL), a new [online training portal](#) for waste shipment, wildlife and waste crime has been launched. It is a joint activity between a number of European funded projects – [WasteForce](#), [LIFE SWEAP](#) (the Shipment of Waste Enforcement Actions Project) and [SPIDER WEB](#) (Strategic Project to Increase the Detection and Disruption of Environmental Crime in the Western Balkans).

We are the project management lead for the [LIFE SWEAP project](#) – working with IMPEL partners to prevent and disrupt the illegal waste trade by employing new tools to improve the EU-wide flow of intelligence of illegal shipments. A new SWEAP Inspection mobile app for recording waste shipment inspections is being rolled out across Europe this month. It is available in both Apple and Google stores and will feed Europol's Secure Information Exchange Network Application (SIENA). The aim of the application is to aid inspectors and law enforcers in the field to record their inspection data on the spot.

### **1.16 Water Environment Fund (John Kenny)**

COVID-19 has had an impact on both the progress of the Water Environment Fund Programme of Work and budget. The 2020-2021 Programme is being progressed, although there continues to be a risk to the Programme of Work, with at least a six-month delay to several projects.

Notwithstanding the challenges, three projects have taken major steps since the last Board update:



- Construction of a fish pass at Limefield Falls (West Lothian) is nearing completion. A viewing platform overlooking the fish pass will promote community engagement with the heritage and environmental improvements. This is the fifth of eight weirs being eased, ultimately allowing wild fish into over 200km of river.

- In September, works began at the Garrell Burn (North Lanarkshire). The project is naturalising 1km of the river, improving fish access, reducing flood flows, enhancing wetland wildlife, and creating a path network for the community to enjoy the greenspace and support active travel.



- For the first time in 70 years, Tollcross Burn can now be seen flowing through the surrounding park. This partnership project with the Water Environment Fund and Glasgow City Council is nearly complete and will create blue-green infrastructure improvements, reduce flood risk and enhance the amenity space, making it a better place to live, in addition to the environmental improvements.



### 1.17 Plastic Flake End of Waste (John Kenny)

The rate of resource use today considerably exceeds the planet's regeneration capacity. As set out in [our Waste to Resources Framework](#), we must dramatically cut waste production, facilitate greater recovery and use of secondary resources, and dispose of only the very minimum. Where waste is produced, it must be managed to maximise value and minimise environmental harms. For businesses able to demonstrate to us that the use of waste materials as substitutes for raw materials can be done safely, in a consistent way, and with clear certainty of market; granting the material with an “end of waste” status helps to keep materials in use for as long as possible and maximum value extracted from them.

We reached a new end of waste position for plastic flake waste in October 2020 for two specific sites. Subject to a series of conditions being met, washed and flaked plastic material produced from domestic and commercial plastic waste can be considered to have met end of waste status when sold into specific UK markets. For example, the flake can be used in the manufacture of plastic pellets for remanufacturing, or to produce ‘Ecosheet’ – a plywood alternative. It’s a significant step forward in supporting the establishment of more domestic reprocessing of plastic waste. This helps to enhance our circular economy ambitions and reduce our reliance on exports for handling plastic waste.

Although this end of waste decision was specific to two sites, it provides a solid base to judge other cases relating to similar materials and processes. Based on the current direction of travel in this area, we would expect more of these proposals to come forward.

### **1.18 Electronic Waste Tracking (John Kenny)**

Electronic Waste Tracking is a UK-wide digital project that will transform the way we regulate waste. It will help in tackling waste crime and prevent illegal waste from being shipped abroad. Illegal waste activity drains the UK economy of around £600 million every year and the current systems for tracking household and commercial waste are outdated and largely paper based.

The 2020 UK Treasury Budget provided £7.2 million of funding for electronic waste tracking and secured funding for the project up to 2023-2024. The current phase of the project ends in mid-October 2020 and we will have prototypes from two technology suppliers to test and review. The prototypes incorporate a regulator dashboard which will allow our staff to view and extract key waste information to help them carry out their job either as a regulatory officer or a data analyst.

### **1.19 Scottish Landfill Communities Fund (John Kenny)**

The ongoing COVID-19 pandemic has had a negative impact on the value of contributions to the Scottish Landfill Communities Fund from landfill operators. This is due to a reduction in waste tonnages to landfill. The reduction in the amount of funds available to the 13 bodies approved to distribute funds, has had a slight impact on the number of projects receiving contributions from the Fund.

103 new projects received contributions of £2.5m in the first half of the current financial year. This compares with 141 projects enrolled and £2.9m awarded for the same period in the 2019-2020 financial year. COVID-19 has impacted on the level of service provision provided by several Approved Bodies. Overall, they have been reporting that the Scottish Landfill Communities Fund has been continually oversubscribed.

In order to reduce the resulting administrative burden resulting from ongoing increases in applications for funding from projects, we have developed an online self-assessment [funding eligibility tool](#) which Approved Bodies can direct applicants to use.

### **1.20 Deposit Return Scheme (John Kenny)**

We have made significant progress to establish a robust plan for delivery of the new Deposit Return Scheme. We have successfully identified Leads for all the project workstreams. We continue to identify staff with relevant specialist or technical knowledge for working groups that will be critical to deliver project objectives.

Project review workshops have been organised in October. These will bring new staff involved in the project together and build strong working relationships. They will also explore success markers for the project, identify dependencies across work areas, and scope out risks and threats to delivery. This will help to ensure we are doing all we can to prevent or minimize the impact of challenges the project may face.

We are seeing an increase in requests to speak at external events and meetings about the Deposit Return Scheme. Recent presentations were given to the Retail Institute conference on 23 September, the Institute of Brewers & Distillers conference on 15 October and the Scotch Whisky Association on 26 October.

### **1.21 Develop Place Making Capacities (John Kenny)**

We continue to develop and implement a much more coordinated, structured and proactive place making approach around six 'places' (Leven, Clyde Region, Falkirk/Grangemouth, Edinburgh Region, Aberdeen and Borderlands).

We have also been leading discussions with planning authorities that responded to [the Key Agency Green Recovery Offer](#) over the past few weeks. This is creating some exciting opportunities to support a green recovery through a more collaborative place-based approach to our land use planning role.

We are implementing a move to a more upfront, map-based approach to flood risk assessment in relation to new development. This will provide developers with more certainty, reduce the need for detailed flood risk assessments for small developments, and allow us to focus our expertise on more proactive and strategic place based work.

## **1.22 Scottish Water (John Kenny)**

We publicly welcomed the launch of Scottish Water's net zero emissions route map in September, and the publication of the draft determination of water charges by the Water Industry Commission for Scotland in October. We input to the net zero emissions route map, which is leading edge in the UK water industry, both for ambition and in how it's communicated. Extremely encouragingly, it confirms that the net zero milestone is achievable for Scottish Water by 2040.

Senior-level workshops, which included Chief Executives and Directors from both organisations, identified two transformational opportunities whereby working together we move faster towards a circular economy and Net Zero. Working together differently we will advance work on a blue-green project, and a project to move from "waste water treatment works" to "resource factories".

The draft determination by the Water Industry Commission for Scotland recommends an increase in water charges in the period 2021-27. This draft determination is a globally novel approach to economic regulation. We have been closely involved in this work over the past three years. We have also confirmed that increased investment is needed by Scottish Water to futureproof services, maintain regulatory compliance and tackle climate change.

## **1.23 Bathing Water – 2020 season (David Pirie)**

This year, due to the restrictions caused by COVID-19, the statutory bathing season for Scotland's 85 bathing waters started later than usual on 15 July and concluded on 15 September. Our daily water quality predictions and beach signage were fully operational from the start of the season at 28 locations and the new operating software was an improvement on the previous system with additional messaging and live access to signage performance.

Following COVID-19 safe procedures, there were some targeted, single-officer field inspections and we maintained desk-based regulatory engagement with Scottish Water and rural agriculture. Water quality samples (up to 3 per location) were collected from all bathing waters with results posted on the website. Most results confirmed that conditions were as expected for the current classification of each location. As usual, a few elevated results were reported (e.g. Aberdour 17 August) but these were associated with preceding exceptional rainfall events. Final sample numbers were necessarily lower compared to previous years, which, along with there being only half the normal assessment period, mean that, as agreed with Scottish Government, we will not calculate an end of season classification this year. The previous 2019 classifications, which are calculated using four years' data, are still meaningful and shall roll forward to apply in 2021. There were similar approaches and limitations across the other UK Agencies.

The priority focus continues to be for Ayr (South Beach) which has been classified as "Poor" for four years and with a consequential risk of permanent advice against bathing after 2021. However, there has been substantive progress in planning pollution control measures, and issuing permits for temporary disinfection at Minishant (also Kippford for Rockcliffe). Construction work commenced at Bellisle and Drongan in September on the agreed interventions. Delivery of the measures are on track for early spring 2021 with operational benefit expected to appear in advance of that actual sign-off. Projects are currently on track to be delivered well in advance of next season. This programme has regular oversight by senior management in SEPA and Scottish Water.

On 2 September, along with Scottish Water, we held an on-line video meeting with South Ayrshire Council and around 12 elected officials. There was a follow-on briefing on 4 September presenting on the same topic to the local MP Allan Doran. Both meetings were well received and there was a lot of positive feedback from participants. A detailed briefing note had been circulated to participants in advance of both meetings and some of the key points appeared in local press authored by John Scott MSP.

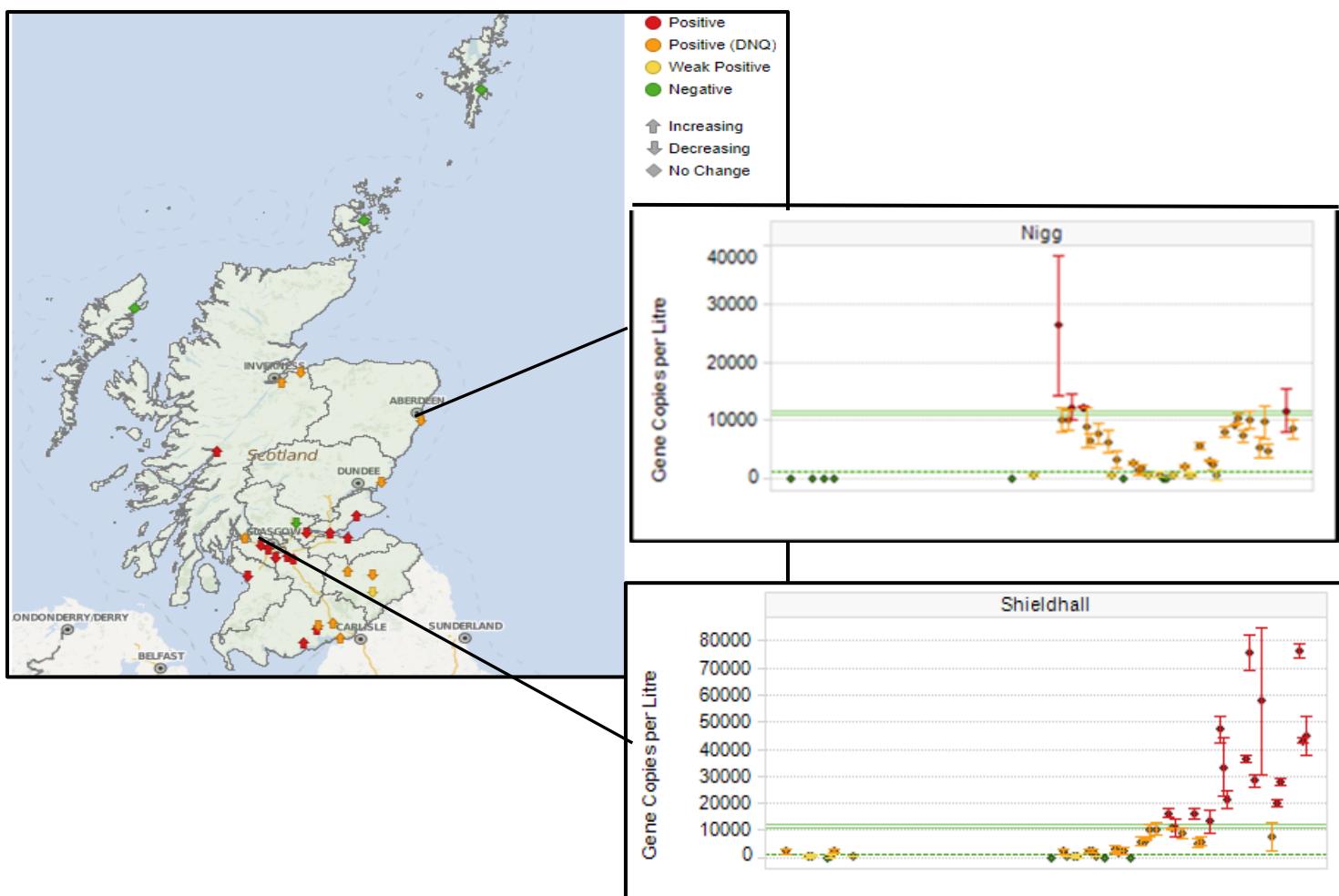
## 1.24 Monitoring Waste Water for SARS-CoV-2 RNA (David Pirie)

At the beginning of lockdown, we engaged with Scottish Water and CREW (Scottish Government Centre for Water Expertise) on a project looking at SARS-CoV-2 RNA fragments in the Waste Water Stream. Population exposure to other viruses, notably Polio, are monitored using Waste Water analysis. It was quickly apparent that SEPA had the equipment and skills to establish a network for monitoring levels of fragments of Ribonucleic acid (RNA) from the SARS-CoV-2/COVID-19 virus in influent at Waste Water Treatment works.

Over May 2020 we worked with Scottish Water and academics at Edinburgh University's Roslin Institute to develop a network of 28 sites which covers around 50% of each Scottish Health Board population.

Starting at the end of May, Scottish water collected weekly samples which were deep frozen, whilst the Microbiology laboratory at ASB was re-opened and worked to implement a method of analysis. We are particularly grateful to the assistance of the Roslin Institute, who provide both expertise and extra freezer space, and to Science and Advice for Scottish Agriculture (SASA) who loaned us a specialist centrifuge. Some of the consumables for this analysis were in particularly high demand leading to challenges in getting a stable method established.

In July we had a method established and running, allowing us to detect the well-publicised outbreak in Aberdeen in early August. Working with Scottish Water, we were able to increase the sample frequency and our data mirrored the Public Health data for the outbreak, including detecting a small number of cases. We have also been able to identify rapidly increasing levels



across the central belt over the last six weeks. The graphic below shows screen shots from data analysis tool showing examples of result outputs:

The data is now available on our web site for Public Health Scotland, Scottish Government, Office of National Statistics) and Joint Biosecurity Centre to access and will shortly be made publicly available. We are continuing to work with Public Health Scotland and academia over how to make this information most useful to support the public health community.

## 2. Flooding

### 2.1 Flood Forecasting and Warning (David Pirie)

This month, we are putting the finishing touches to the delivery of two new flood warning schemes, which we will launch during the first week of November. These schemes are part of the [Flood Warning Development Framework 2017-2021](#) and will provide advance notification of flooding to communities who are regularly affected by flooding. Both schemes have been technically challenging, but, with the help of our contractor JBA Consulting Ltd, these two projects are being delivered on time ahead of the winter season.

#### 2.1.1 Aberfoyle flood warning scheme

Flooding in Aberfoyle in the Trossachs occurs frequently, affecting both roads and properties in Aberfoyle and upstream communities, including Milton and Kinlochard.

Aberfoyle presents a number of challenges from a flood warning perspective, including poor mobile phone signal coverage (affecting our access to real-time data) and a prone to flooding, fast-responding catchment. To deliver a flood warning service for the community, we have implemented several innovative solutions. Our hydrometric network has been upgraded to satellite telemetry in areas with no mobile phone signal, and all stations used as part of the service will have second/dual line of communication installed for resilience. We have also developed advanced snow-melt models to complement traditional rain driven hydrological models. This will help our Flood Warning Duty Officers make decisions during potential snow melt influenced or driven flood events.



Photo: River Forth in Aberfoyle

The new service will benefit up to 650 properties both within Aberfoyle itself and the remote communities located upstream. The scheme is a much-anticipated service and will go some way to helping this flood impacted community.

#### 2.1.2 Eilean Siar (Outer Hebrides) coastal flood warning

The Eilean Siar (Outer Hebrides) Flood Warning Scheme contains 24 new Flood Warning Areas benefitting the occupiers of about 1000 properties through advanced notice of coastal flooding, giving communities and businesses time to take action to reduce the damage and disruption that flooding can cause. Sixteen of the Flood Warning Areas also provide notice of flooding and disruption to roads and causeways. This will allow people to plan their journeys around the islands.



The modelling of the islands has been very challenging, due to complex tides, inlets, numerous small islands and dynamic dune systems. Close working with local partners has helped us to overcome many of these issues through jointly identifying areas which would most benefit from the new service and determining flood warning threshold levels. The scheme has been planned over several years and required the capture of detailed aerial topographical Light Detection and Ranging (LiDAR) data.

Photo: The Braighe causeway, between Stornoway and the Eye Peninsula. We will be forecasting for wave overtopping and issuing warnings for this location.

We will also be partnering with local stakeholders for the launch events, which will be online due to continuing travel restrictions.

## **2.2 Helping Scotland prepare for a weekend of severe weather (David Pirie)**

Communities, businesses and travel networks across the north and east of Scotland benefitted from an early warning of flooding as record-breaking rainfall hit parts of Aberdeenshire over the weekend of Friday 2 October. Early information from us, was crucial in enabling organisations and individuals to plan and prepare - including a partial shutdown of the North East rail network before it flooded.

Our Flood Forecasting and Warning gave four days' notice of flood risk to public partners, communities and businesses. This meant key infrastructure was protected through early action.

Activity included:

- 32 local Flood Warnings issued from Aberdeenshire to Fife between Friday 2 and Sunday 4 October
- Over 15,000 direct flood messages delivered to the public over 3 days
- Over 34,000 visits to [sepa.org.uk/flood](http://sepa.org.uk/flood) updates over the weekend

The public were also urged to ensure they will receive Flood Warnings for their area and join the over 31,000 Floodline registered customers.

### **2.2.1 Media Information (Terry A'Hearn)**

There were 157 articles about flooding, 112 related to the flooding that affected Scotland over 4–6 October. We proactively communicated the latest flood outlooks and information to public partners and communities using media statements, social media and individual flood alerts to registered service users across Scotland.

## **2.3 One Health Breakthrough Partnership (David Pirie)**

Our Innovation and Chemistry teams lead on our input to the One Health Breakthrough Partnership providing technical and strategic support. The partnership is working on solutions to the problem of the environmental impacts of pharmaceuticals, increasing demand for prescription medicines and supply chain carbon and cost issues in Scotland. NHS Highland led the entry to the 2020 British Medical Journal Awards, the UK's leading medical awards, in the category "Environmental Sustainability and Climate Action Team of the Year". Our submission included a pre-recorded video message on why the partnership is important for us and One Plant Prosperity. A panel of British Medical Journal Award judges interviewed three members, where we received highly encouraging feedback for our work to date and the vision of the partnership. The One Health Breakthrough Partnership was "highly commended", coming second in the category.

## **3. Our Organisation**

### **3.1 COP26 (Jo Green)**

We met Nigel Topping, the UK's High-Level Climate Action Champion for COP26. His role is to strengthen collaboration and drive action from businesses, investors, organisations, cities, and regions on climate change, and coordinate this work with governments and parties to the United Nations Framework Convention on Climate Change. The discussion focused on business

mobilisation. We have also started working with the Scottish Government and Enterprise Agencies on the Scottish Government's business mobilisation strategy for COP26.

### **3.2 Response and Recovery Co-ordination Group (Fiona Wylie)**

In the last month the Response and Recovery Coordination Group (RRCG) have focused on a several key activities including the Angus Smith Building pilot project. This work was undertaken to make this building COVID-19 secure to enable priority activities (authorised under our COVID-19 Decision Making Framework) to be undertaken safely. An initial four-week trial with 10% occupancy of the COVID-19 secure building is underway to allow for feedback from staff and contractors using the building. A decision will follow on the timing of extending this to a maximum 25% COVID-19 secure occupancy rate. Statutory & preventative maintenance has been reinstated in our other buildings to ensure they are secure, safe and compliant to allow exceptional access to be undertaken safely.

We have also been working on various logistical matters such as developing a PPE collection plan and training in our new Royal Mail process. We continue to monitor the wellbeing of our staff and address key themes such as equipment; carry forward of annual leave and financial assistance for homeworking. We are also ensuring equalities considerations are embedded in our work.

In order to deliver our response and recovery plan, some areas of the organisation need extra resource. An email is therefore due to be sent imminently to all staff asking for volunteers to get involved in these areas. This will help us to progress our plan while providing career development opportunities for our people.

Our forward focus is on our response to future local outbreak controls, and any step back in the Scottish Government route map as winter approaches.

### **3.3 Water and Land Unit Internal communication (John Kenny)**

Our Water and Land Unit runs a series of teleconferences which can be joined by all staff. Short talks update staff on recent and upcoming work and encourage further input. Around 150 staff have joined each update, and in future we will be asking external organisations such as Scottish Water to give us updates or challenges on shared work areas. Feedback has been very positive.

### **3.4 Lighthouse Award for Sustainable Innovation (David Pirie)**

Our Informatics Unit has received a [Lighthouse Award](#) in recognition of its work developing Spotfire tools. This is further recognition of the leading edge work of the team producing advanced analytics. The judges were particularly impressed by our tools to manage and present data from agricultural surveys in a form that could be sent out to farmers.



Graeme Cameron of the Informatics Unit with the lighthouse award

### **3.5 People & Property (Fiona Martin)**

Progress continues on the Annual Operating Plan project to implement a new Job Evaluation scheme. At the beginning of October, the Invitation to Tender was issued for a new Job Evaluation system. Alongside this, work continues to address cases that need to be considered using the existing system. A second window for re-evaluation claims closed at the beginning of October with small numbers of cases being received.

The relationship with the recognised trade union UNISON, continues to develop with regular formal and informal engagement. A formal pay claim for 2020-2021 was received from the branch earlier this year and negotiations on that continue. In addition, Unison has submitted a collective grievance on behalf of several Unison members and work is underway with the branch so that this can be fully understood and addressed.

We are building on the work earlier this year with the Senior Leadership team on the People Survey. Earlier this year we shared our different understanding of the survey results and identified key areas for further analysis, which was the basis for the Action Plan we shared with the Agency Board in September. Since then, we have asked all Portfolio Leads, all Annual Operating Plan project leads and all Senior Leaders to review the results and consider how they can be used to make improvements in their areas or to inform their projects. A further Senior Leadership Team event is being planned to feedback on how the results have been used to improve the running of portfolios, functions and projects. We have also carried out deeper analysis on the results to better understand feedback on bullying and harassment, internal communications and leadership and management, which were three of the key themes identified in our Action Plan.

As reported previously, the portfolio's efforts continue to focus predominantly on work to support response and recovery efforts.

### **3.6 Update on Information Services Systems (David Pirie)**

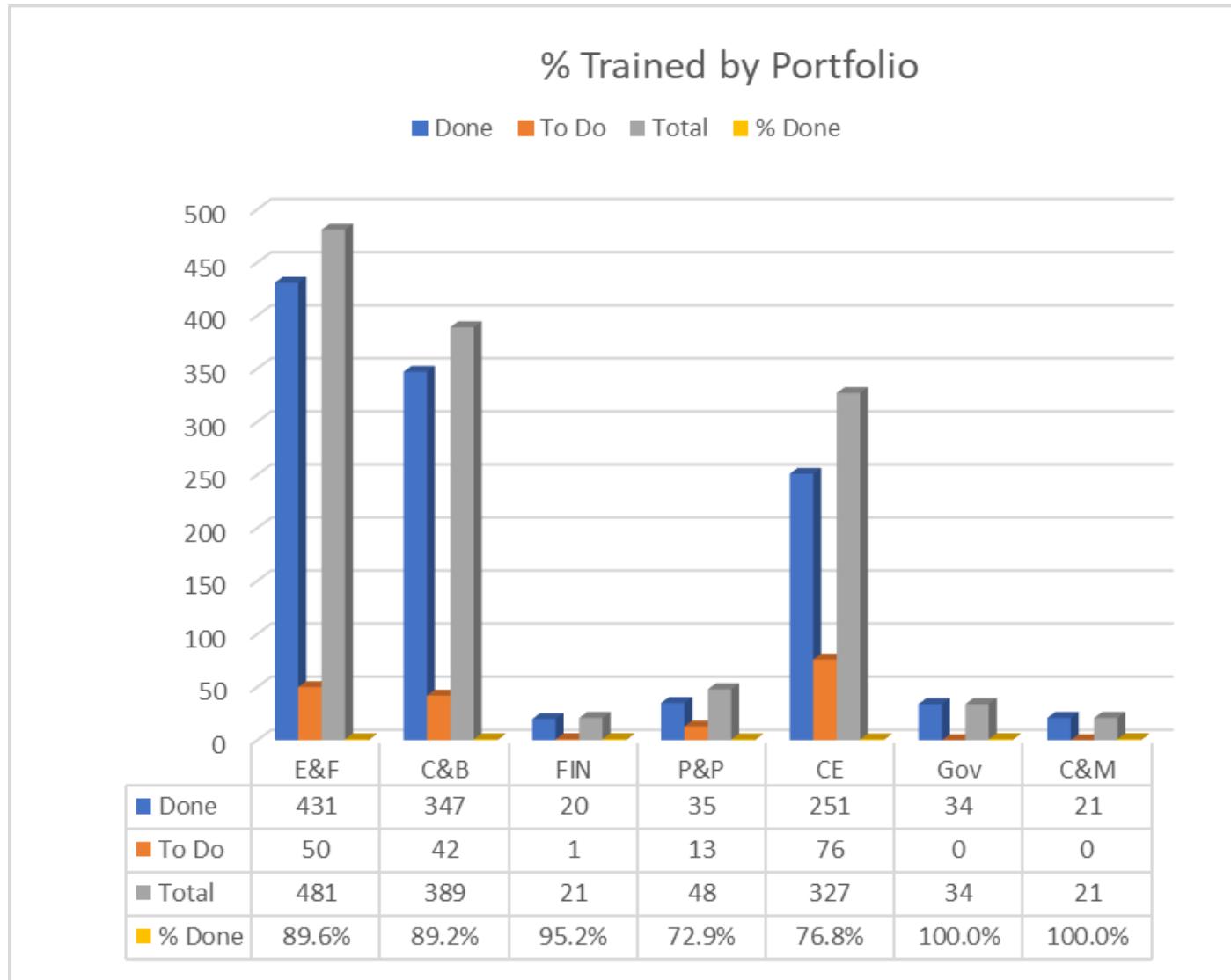
Our Information Security network continues to perform well and provide reliable access to our systems. Daily usage patterns and demand for access to SEPA systems remain consistent with previous updates.

#### **3.6.1 Roll Out of MS Teams (David Pirie)**

Over the four weeks commencing from the 5 October, the team has focussed on launching and delivering MS Teams to the whole organisation. So far 83 out of a planned 95 training sessions have been completed. Approximately 86% of staff are now on MS Teams and using it routinely.

The graph below shows the numbers of staff trained across the different portfolios. The remaining 12 training sessions will allow the small number of remaining users to access MS Teams.

The immediate focus of the team is on lessons learnt from the roll out and consolidating the use of MS Teams across the organisation. Looking slightly further ahead, the majority of our staff are currently accessing our systems via their own personal devices. Our focus will increasingly move to providing additional support to home working and enabling a working from home/office blended model for the longer term.



### 3.7 Finance (Stuart McGregor)

In September, our projected financial position for the year improved dramatically. The Annual Operating Plan Project on Financial Management made good progress in identifying areas where savings could be made, and our monthly review of forecast income has also improved our projected income for the year. These two actions reduced our forecast deficit to £1,111,000.

In October, we were instructed by the Treasury to score the annual leave impact of COVID-19 against the annually managed expenditure budget, rather than the departmental managed expenditure budget. This reduces the forecast overspend to £178,000 at the end of September.

Our customers have been paying their invoices faster than we expected. The level of outstanding debt, two months after the bills were issued, is better this year than it was last year at 25% of total invoiced subsistence fees (£34,304,000), compared to 36% last year. We have had 82 enquiries for payment plans relating to invoices with a value of £707,000; 71 plans are confirmed totalling £675,000; and six of these have not paid to plan.

There have been 15 informal complaints received from customers, and one formal complaint with another expected. We continue to offer payment plans and make customers aware of the mothballing option. To date, the number of customers choosing to mothball is lower than last year.

### 3.8 Procurement (Stuart McGregor)

Progress against the Procurement Operating Plan 2019-2021 has continued, and the majority of objectives are on track to be achieved before the end of the financial year. A mid-year review has been undertaken and remaining tasks prioritised. Work has begun on reviewing service and contract continuity plans in preparation for ongoing disruption as a result of COVID-19 and EU Exit.

Procurement exercises are nearing completion on two Annual Operating Plan priority projects: Management Development Programme and the Job Evaluation Scheme. Procurement within the 2020-2021 capital programme is progressing well and plans are being put in place to ensure value for money is achieved with any underspend identified in early Quarter 4.

### 3.9 Communication and Marketing

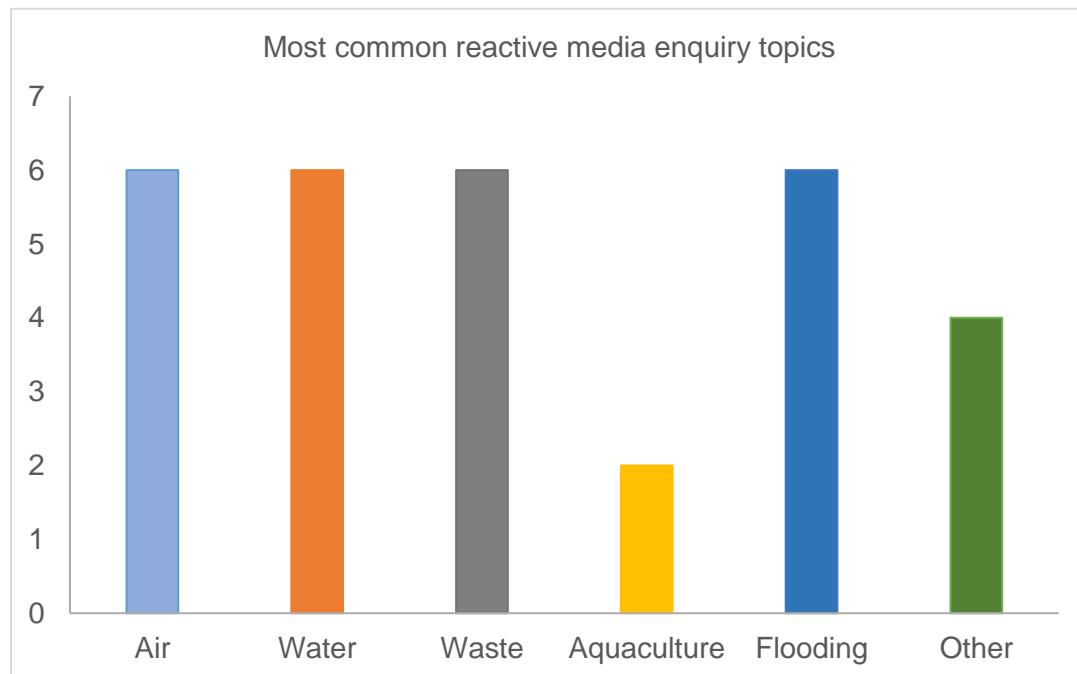
Between 28 September and 20 October 2020 there were 415 articles in the media mentioning SEPA. Four media releases were issued, along with six media statements. We had 67 pieces of broadcast coverage and 348 online and print.

We had 33 pieces in the international media, 77 at national level, 126 at regional and 138 local

#### Reactive media enquiries

Between 28 September and 20 October, we dealt with 124 media enquiries. The most common subjects were:

- **Water** – various pollution incidents
- **Waste** – issues with individual sites
- **Flooding** – mostly flooding interview requests
- **Other** – SEPA flights and hostile sites
- **Aquaculture** – SPRI results
- **Air** – ExxonMobil Chemical Limited flaring and odour issues at sites



**4. Action**

The Board is asked to **note** this report. Updates will be provided at the meeting.

**Terry A'Hearn, Chief Executive**

**November 2020**