



Agency Board Meeting 28 September 2021

Board Report Number: SEPA 29/21

Chief Executive's Report

Summary:	This report provides updates for the Board on some of the key work happening in the organisation.
Risks:	There are no risks highlighted in the report.
Resource and Staffing Implications:	There are staff updates in section 4.
Equalities:	There are no equality issues highlighted in the report.
Environmental and Carbon Impact:	There is an update on Regenerative SEPA on page 15.
Purpose and audience of the report:	Agency Board to note this report.
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Chief Executive's Report

September 2021



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1. Introduction

Since the last Board meeting, AMT's focus has been to continue with our recovery from the cyberattack, the continued increase in the delivery of services and progression to build our new systems.

In this month's report, we highlight a number of activities that show the progress the organisation is making.

2. Regulation

2.1 Mossmorran (Lead AMT Member: Ian Buchanan)

As part of our regulation of the Mossmorran complex in Fife, we are hosting a series of online events for local communities, in partnership with Fife Council and the Health and Safety Executive. At the events we will:

- explain our role and that of other public bodies in the regulation of the Mossmorran complex;
- explain how air quality, noise and vibration are assessed, and share information on what we currently monitor, including where and why and what it tells us;
- hear community concerns about air quality and the impacts of noise and vibration; and
- find out what the community wants to know about our monitoring and how we can share the results in an accessible and informative way.

Attendees will have the opportunity to share their concerns and ask questions.

This is a key step in listening to the needs of the community. It will inform our review of the monitoring we undertake around the Mossmorran complex and the way we share the results with the local community.

The events are being held at different times over four dates to allow the maximum number of people to participate. Key communications to publicise the events are underway, including:

- a letter to key stakeholders;
- a leaflet drop to over 10,000 households in the Cowdenbeath, Lochgelly and Auchtertool area;
- social media updates.

We appreciate that not everyone will be able to join our online events, therefore anyone unable to attend is able to submit comments to our [dedicated email address](#) or via post.

More information is available on the [Mossmorran hub](#) on our website.

2.2 Permitting (Lead AMT Member: Ian Buchanan)

Restoration of our permitting service has been one of our highest priorities, so we can continue to protecting the environment through high quality permitting decisions that support appropriate business investment in Scotland.

We have received positive feedback for our work. For example, Network Rail offered their thanks and appreciation for the way we managed to turn around licence applications despite the incredibly difficult circumstances we were experiencing. The applications were for critical engineering projects being carried out in the early part of this year to ensure the safety of bridges. Network Rail said they did not lose a single scheme.

We recently attended an event with several supply chain operators in the oil and gas decommissioning sector. The excellent service we have provided was mentioned several times, both in terms of the speed with which we have processed applications and the advice and guidance we have provided.

In total, we have made just over 5,000 authorisation decisions this calendar year.

2.3 Enforcement (Lead AMT Member: Ian Buchanan)

2.3.1 Multi-agency roadside stops

Between 27 July and 4 August, we supported partners from Police Scotland, the Vehicle & Operator Services Agency and the Environment Agency at six road stops across five dates. The areas covered included Gretna, Beattock, Stirling, Harthill, Glasgow, and Glenrothes. In total, over 58 vehicles were checked.

We provided advice and guidance on waste carrier registration, duty of care and registration of waste exemptions to at least 13 operators. At least one vehicle stopped has triggered a compliance investigation and some follow-up investigation relating to an ongoing enforcement operation.

2.3.2 Variable Monetary Penalties

Since the last report, the training of the group of staff who will be calculating the Variable Monetary Penalties has started and is proceeding well. This will be followed shortly by wider awareness raising across the organisation. We will then be ready to start using Variable Monetary Penalties as part of our enforcement toolkit.

2.4 Scotland's National Water Scarcity Plan (Lead AMT Member: Ian Buchanan)

The National Water Scarcity Plan sets out how we will work with water users to manage water resources during prolonged dry weather. These periods are intensifying due to climate change, and it is vital that businesses plan so that they can respond appropriately and be resilient in future.

We provide monthly situation reports on Scotland's water resources throughout the year. From May, we published these weekly and this will continue until the water scarcity situation returns to normal in all catchments across the country. The reports are used to inform decisions on water use, including regulatory interventions we are responsible for, such as abstraction licences.

Businesses must comply with the conditions in their abstraction licences. As part of that, they should prepare and implement plans to manage water wisely and improve their resilience during prolonged spells of dry weather. That will reduce the impacts on both their activities and the environment. We provide advice and support on how best to do this, as well as publishing information on our website.

2.5 Finfish aquaculture (Lead AMT Member: Ian Buchanan)

Following recent updates to our COVID-19 Decision-Making Framework, we have begun to carry out in-person inspections to assess compliance at marine pen fish farms. We started with the inspection of 10 sites on Orkney. Supported by our marine survey vessels, we were able to assess some aspects of compliance by reviewing submitted records and in-field observation of the sites inspected. As a

result of COVID-19 protocols and the need to ensure that biosecurity requirements were met, it was not possible for these inspections to be unannounced. Lessons learned from this work will be incorporated into our planning of the remainder of this year's aquaculture compliance programme.

We are receiving quarterly data returns in relation to licence conditions around the quantity of fish held on site and the discharges from the pens. The data is being assessed for compliance. Some of this data is presented on [Scotland's aquaculture website](#).

2.6 Event response (Lead AMT Member: Ian Buchanan)

2.6.1 Glasgow M8/M80 fly-tipping site

In early August, a fly-tipping site near the M8 and M80 was brought to our attention by Glasgow City Council during a meeting to discuss COP26¹. The site contained a significant amount of waste material. This was a mixture of household waste and house renovation waste.

- We met with Transport Scotland, who own the site, and Glasgow City Council, to ensure that it is secured and cleared.
- We will be going to the site in the week beginning 6 September, along with the partners involved, to facilitate site clearance. Where possible, we will obtain evidence to support enforcement action against those responsible for producing or depositing the waste.

2.7 Investigation into licence breach by packaging waste export company (Lead AMT Member: John Kenny)

Businesses in Scotland who handle packaging are obliged by law to contribute to recycling of the packaging waste. Many businesses do this by buying 'Packaging Recycling Notes' from companies who carry out recycling themselves, or 'Packaging Export Recycling Notes' from companies who arrange for waste to be sent abroad for recycling. The notes provide evidence that a certain amount of waste has been recycled and the business has paid the required amount towards this. We licence the companies who arrange for the recycling and provide this evidence.

¹ COP26 is the 26th UN Climate Change Conference of the Parties. It is an international summit being held in Glasgow to discuss how countries are planning to tackle climate change.

During a routine audit of one of these companies, we noticed inconsistencies. This led to us carrying out an investigation into a possible breach of regulations in partnership with the Environment Agency, Natural Resources Wales, UK Border Force, and Trading standards. We found that the company had claimed they had exported waste to Turkey which had already been claimed by another exporter. This was a serious breach which we responded to by cancelling the company's licence for exporting packaging waste. They did not appeal this decision.

2.8 Dalgety Bay radioactive remediation (Lead AMT Member: John Kenny)

The Ministry of Defence contractor continues to make progress with the remediation of contaminated land at Dalgety Bay. The works will pause from the end of September 2021 until April 2022 to avoid affecting birds that reside in the bay during the winter period.

We have a positive relationship with locals in the area, who often stop to discuss the history of the contamination, monitoring and remediation. We have encountered a wide range of viewpoints on the hazards posed, with most individuals fully supportive of our actions after a period of open discussion.

2.9 Charging (Lead AMT Member: Stuart McGregor)

The focus of our stabilising income project has been this year's main billing run, which accounts for about £35 million of charges. To ease cashflow we have taken steps to bill some of the larger organisations earlier. They account for about £15 million. We are on track with our plan to issue the remaining invoices for the year towards the end of September.

Online payment functionality is now in place for Special Waste Consignment Notes and applications. This reduces the need for manual invoicing and the associated increased risk of bad debt.

Attention will turn to other income areas once the main invoicing run is complete and the initial surge in queries has been dealt with.

2.10 COP26¹ (Lead AMT Member: Jo Green)

We have a significant resilience and operational role in the run up to and during COP26 which is taking place at the Scottish Event Campus from 31 October-12 November 2021. We are working with the Cabinet Office, the Scottish Government and other partners on this.

Arrangements have been developed and approved by the Agency Management Team to coordinate our input to the safe delivery of the conference and respond to any challenges or environmental incidents which could disrupt the event.

We developed valuable experience during the Glasgow Commonwealth Games in 2014. This learning has been used and developed for COP26. We recently worked with colleagues to prepare and deliver a workshop for some of our staff and partners. This took place on 4 June 2021 and contained flooding and tyre fire scenarios. A further diary of internal and multi-agency workshops and exercises is being prepared and delivered in the run up to the event.

2.11 Decom North Sea: Decom Live @ Aberdeen Harbour (Lead AMT Member: John Kenny)

'Decom North Sea: Decom Live @ Aberdeen Harbour' was an outdoor event held on 2 and 3 September 2021. We presented on our [Oil and Gas Decommissioning Sector Plan](#) and the progress being made with the decommissioning Regulatory Hub we lead, known as '[DecomRegHub](#)'. The response to our participation at the event was very positive. There was strong representation at the event from supply chain operators who were anxious to talk to us about the opportunities there are in Scotland to establish a world class circular economy-based sector that is getting ready to push beyond compliance. New decommissioning facilities at Methil, Kishorn, and Ardersier Port all had representatives at the event. Several delegates made a point of highlighting that we are continuing to deliver an excellent service.

2.12 VIBES - Scottish Environment Business Awards

(Lead AMT Member: John Kenny)

This year's [VIBES – Scottish Environment Business Awards](#) received 82 applications. The awards are a partnership between the Scottish Government, Energy Saving Trust, Highland & Islands Enterprise, Scottish Enterprise, South of Scotland Enterprise, Scottish Water, Zero Waste Scotland, and NatureScot. Although entries were down this year, considering the challenges currently facing the business community and the short time allowed for entries due to the cyber-attack, we considered it a good response.

Following compliance checking, VIBES partner organisations selected the top 35 entries to receive “good practice” awards. Those selected represent a wide range of business sizes, sectors and are from locations across Scotland.

The best 12 entries have been put forward as finalists for three ‘Outstanding Achievement’ awards. These businesses will be interviewed by VIBES partners to get more information on the environmental, economic and wider benefits of their actions, as well as assessing progress towards achieving net zero carbon ambitions.

I will join directors from Highland & Island Enterprise and Scottish Water to make the final decisions on winners of the ‘Outstanding Achievement’ awards on 1 October 2021. Successful businesses will share information on their environmental actions and achievements at a virtual event on 19 October 2021.

2.13 Water Environment Fund projects

(Lead AMT member: John Kenny)

2.13.1 Garrel Burn and Dumbreck Marsh restoration project, Kilsyth

The first of two new fish passes for salmon, trout and eel has been constructed. These fish passes, at weirs in Kilsyth, are part of a wider urban restoration project. The aim is to re-naturalise 600 metres of the river through once industrial land, reconnect it to its wetland floodplain and regenerate local biodiversity.



Downstream of the two fish passes, the river will be directed into a new meandering channel, with a more natural flow and inset flood plains.

We have formed a partnership with North Lanarkshire Council to deliver this challenging and innovative work. It is due to be completed in early 2022.

2.13.2 Lyne burn restoration project, Dunfermline



This is a partnership between Fife Council, SEPA, and the Fife Coast and Countryside Trust. The project is half-way through construction. It is part of a wider urban restoration project to improve active travel routes, provide community food growing places and improve biodiversity. The physical works are being supported by a community engagement programme

delivered by the Fife Coast and the Countryside Trust.

The river restoration is due to be completed in December 2021, with the greenspace improvements delivered over the following two years. The start of this project has been [reported in local news](#).

2.13.3 Mid Calder Weir, River Almond near Livingston.

Groundworks have begun at a Water Environment Fund and Scottish Government funded project to install a modern fish pass.



This will be the sixth of eight key fish barriers on the River Almond to be eased so far as part of the Almond Fish Barrier Project. It is a partnership between us, West Lothian Council, City of Edinburgh Council, Forth Rivers Trust and the Scottish Government. The work is coordinated by the trust under their '[RiverLife](#)' campaign which also attracts funds from the National Lottery Heritage Fund.

Once all eight fish barriers are eased in the coming two to three years, fish such as salmon, sea trout, eel and lamprey will be able to migrate upstream to over 200 kilometres of river catchment.

2.14 UKAS audit² (Lead AMT Member: David Pirie)

Following the cyber-attack, we voluntarily suspended accreditation to ISO17025:2017 in March 2021. The process to seek reinstatement began on 27 August with a UKAS audit opening meeting. Over the following four weeks, the auditors assessed our quality management system and specific chemistry, microbiology and sampling methods to assess compliance with the standard. The outcome of the audit will be shared in the closing meeting on 4 October.

2.15 Place-making (Lead AMT Member: John Kenny)

2.15.1 Leven

[Sacha Dench](#), UN Ambassador for the Convention on Migratory Species and winner of the Green Swan Award, visited Levenmouth in September on an electric paramotor as part of her Round Britain Climate Challenge. She is attempting to secure a Guinness World Record for the greatest distance flown by electric paramotor in a 30-day period whilst sparking discussions about climate action.

Energy supplier SGN is developing a world-first hydrogen network in Levenmouth that will bring renewable hydrogen into homes in 2022, providing zero-carbon fuel for heating and cooking. The project is the first of its kind to employ a direct supply of clean power to produce hydrogen for domestic heating – putting Levenmouth at the forefront of the clean energy revolution.

2.15.2 Glasgow

We have been invited to lead the Climate Change Adaptation Mission of the Clyde Mission. The Clyde Mission is a Scottish Government initiative which will focus on green jobs, net zero, vacant and derelict land, and better places for communities. We have been supporting the development of the Clyde Mission objectives over the past 18 months. The Climate Change Adaptation Mission group is made of a wide range of stakeholders including local authorities, other agencies and local academia and will meet for the first time on 30 September.

² [UKAS](#) is the National Accreditation Body for the UK

2.16 Organisation for Economic Co-operation and Development systems capacity building (Lead AMT Member: Jo Green)

We recently ran a capacity building session for the Organisation for Economic Co-operation and Development [Environment Directorate](#). This included a presentation on recording basic regulatory activity using Microsoft Teams. The event was well attended and provided a way to both share our recent learning and learn from others.

There will also be a series of meetings with Dutch agencies to explore their systems in more depth following their presentations at the session.

3. Flooding

3.1 Flood events – July and August 2021 (Lead AMT Member: David Pirie)

On 3-4 July, surface water flooding affected parts of the country, with Edinburgh experiencing significant disruption to infrastructure. This included the tram network and residential streets around Stockbridge.

On 27-28 July, significant rainfall gave parts of Scotland a month's rain in 36 hours. Some of this rain was very intense, with the most consistently high totals in the northern half of the country.

Many people were enjoying the sunshine on or near water at the start of the week, which posed a particularly dangerous combination. Surface water flooding impacts occurred in many places. Roads were affected across the country, along with some rail impacts.



Greenock, courtesy of Amey Scotland

On 6-8 August, central and south-eastern parts of Scotland were impacted by flooding from localised showers and thunderstorms. Glasgow experienced significant impacts including flooding of sheltered housing and businesses as well as surface water flooding of roads, including the M8. Vehicles became stranded with at least one rescue taking place. The flooding of the rail tunnel at Dalmuir, with eight feet of water, resulted in temporary suspension of services on that line. We recorded daily rainfall rates of 30-40mm quite widely through central and south-west Scotland over that weekend.

For all these summer events, we issued multiple regional Flood Alerts, and several local Flood Warnings before the flooding occurred. The accuracy of the forecasts and flooding predictions, the strong communications, and the very close working we had with local resilience partnerships and the Met Office helped prevent more significant impacts and helped save lives.

3.2 Police Scotland Emergency Procedures Advisor training (Lead AMT Member: David Pirie)

In September, we provided training, with the Met Office, to the new group of Police Scotland officers joining their national network of Emergency Procedures Advisors. We delivered an extreme weather and consequent flooding exercise. The scenario included a developing flooding situation based on a combination of actual events.

This is part of our ongoing commitment to working in partnership with emergency responders, helping improve understanding and operational use of our forecasting, warning, and informing services.

3.3 Scottish Fire and Rescue Service - Water Safety Scotland (Lead AMT Member: David Pirie)

As part of our community safety work raising awareness of the hazards of flooding, we are part of the national Water Safety Scotland group. The group aims to reduce accidental drowning deaths in Scotland by fifty percent by 2026.

In August, we attended the first combined water rescue training demonstration of the kit and methods the Scottish Fire and Rescue Service is now equipped to deliver across the country. This outdoor event provided an excellent opportunity for partners from Police Scotland, Scottish Canals, Scottish Ambulance Service, the Royal National Lifeboat Institution, and others to discuss how we can work together better to share our knowledge and expertise to reduce potential harm from water hazards.

4. Corporate

4.1 Regenerative SEPA (Lead AMT Member: Jo Green)

In August, over 150 staff engaged in the first of an ongoing series of opportunities to discuss and provide feedback on how we can become a regenerative organisation. This means not only reducing our emissions, water use, materials use and waste to close to zero, but also increasing projects that repair or regenerate the environment.

The discussions were an opportunity to chat in small, randomly assigned groups about the things we can all do through our day-to-day work and to generate ideas about how we can reach this goal as an organisation. The sessions were also designed to give staff an opportunity to reconnect with, or even meet for the first time, colleagues from across the organisation.

Feedback from the conversations has indicated that those involved got a great deal out of them, not just from thinking about SEPA's regenerative work but also in that ability to just chat and reconnect. Many indicated that they would like to keep their groups going into the future. The ideas will form part of the strategic direction, targets and actions to become a regenerative organisation that will be brought to the Board for approval in the autumn.

4.2 Safe and compliant buildings

(Lead AMT Member: Fiona Martin)

We are currently focussing on understanding what we need from our workspaces over the next six months. Our current position is that working from home will remain the default for most of our staff until October, when it will be reviewed.

Our Angus Smith Building is COVID-secure with priority essential services operating there when authorised. The laboratories in our Aberdeen office are COVID-secure, specifically to support the Bathing Water season and an expansion of our work on wastewater COVID testing.

The Agency Management Team has decided that we will begin a phased reopening of the Aberdeen office:

- Stage 1: fuller reopening of laboratories; and
- Stage 2: trialling of new ways of working as part of the Future of Work project.

All our buildings are being statutorily maintained. Safe exceptional access to collect kit, equipment, or undertake short term activities in support of priority essential services, field work and our recovery is in place. Our stores and workshops are COVID-secure to support priority essential services. We will align our approach to Scottish Government workplace guidance which is subject to review.

4.3 Keeping our staff safe (Lead AMT Member: Fiona Martin)

We have established a cross-portfolio senior leadership group and delivery team to rebuild key health and safety guidance, policies and risk assessments. It will also identify and schedule health and safety training to keep our staff safe while they are undertaking priority essential services.

We have produced a significant amount of guidance and high priority risk assessments for staff. COVID guidance is in place to keep staff safe wherever they are working. We are continuing to develop generic risk assessments for priority work. Managers are assessing the training and competency of their staff before they are deployed. Statutory first aid training courses have been provided, as well as high-risk training (swift water and sea survival). We have an interim health and safety policy in place and access to e-learning is available.

4.4 Job evaluation (Lead AMT Member: Fiona Martin)

We have re-established the joint Job Evaluation Leadership Group with UNISON colleagues. Our current focus is on progressing a future job evaluation scheme and ensuring that the current scheme can progress outstanding cases. In August, the Agency Management Team considered proposals from the group on next steps for the future scheme and accepted the recommendations made.

4.5 Recruitment (Lead AMT Member: Fiona Martin)

Recruitment activity has remained limited with only a small number of business-critical posts being approved for recruitment. Between 31 May and 7 September, there have been a total of 14 internal vacancies advertised and 12 vacancies that have been opened for external recruitment.

4.6 Wellbeing (Lead AMT Member: Fiona Martin)

We have established a small working group focussed on staff. UNISON is embedded in this working group. One of the significant activities has been the development of a staff wellbeing survey that we plan to run regularly. The survey will ask staff to rate their level of wellbeing on the date it is completed and provide feedback on the importance of support measures that are in place, as well as those being considered.

On the 23rd of September, John Kenny hosted five voluntary MS Teams sessions for staff on well-being and we estimate that over 500 staff attended. The sessions were really well received.

4.7 Collective actions (Lead AMT Member: Fiona Martin)

In late 2020, UNISON raised two collective actions with us. Early discussions have taken place with UNISON at a national and branch level, to jointly work on a resolution. One immediate outcome from this work has focused on the performance and development review discussions that take place annually, with some changes being made to the approach this year. We will be seeking staff feedback on the approach this year and will provide further information on this.

4.8 Reasonable adjustments (Lead AMT Member: Fiona Martin)

We have been working to improve our approach to reasonable adjustments. The initial focus has been on the roll-out of assistive technology to staff members who need it, alongside the laptop and Microsoft 365 roll-out.

The solution that is now being implemented will ensure a significantly better user experience than these staff members had with previous systems. The implementation of this work should be completed in September.

4.9 Procurement (Lead AMT Member: Stuart McGregor)

The procurement pipeline has been progressing, including the following major projects:

- pluvial mapping and modelling;
- the Job Evaluation Scheme and system;
- Bathing Waters consultancy; and
- the Future Flood and Incident Messaging System.

There is a very significant procurement workload for the rest of the year to ensure the effective delivery of key objectives in the Annual Operating Plan. Recruitment is underway for a Procurement Specialist following approval from the Agency Management Team.

Work is well underway to ensure procurement is co-ordinated to deliver this year's capital programme. Further approvals are to be sought for "Phase Two" funding in late September 2021.

Procurement modules in Agresso went live on target following extensive User Acceptance Testing. The Agency Management Team has approved the themes for the 2021-2023 Procurement Operating Plan.

4.10 Finance (Lead AMT Member: Stuart McGregor)

We have completed the initial build of our enterprise resource planning system.

The payroll system is now fully functional, and we have uploaded the 2021-2022 budget into the new environment.

We are continuing to process the finance, Human Resources, and payroll information which will allow us to carry out robust financial management and performance reporting, as well as complete the 2020-2021 Annual Accounts. We are carrying out scoping work to enhance system functionality and reporting to better serve business requirements.