

## **BACKGROUND NOTE FOR S6O-01493**

(To be completed as necessary with any additional information)

### **Supplementary questions for PQ S6O-01493**

#### **River Basin Management Planning**

**Q: General response to detailed or site-specific questions or points about wider environmental matters:**

This parliament question is addressing the discharge of sewage into Scotland's waters so if the member wishes to raise detailed/ other matters you should write to me with the details so I can respond.

**Q: How does SEPA classify the water environment?**

SEPA carries out continuous annual monitoring of the water environment to identify changes in water quality, ecology, water quantity and any engineering impacts on banks and beds of watercourses.

The overall classification of the water environment is a complex exercise comprising an assessment of many different parameters waterbodies are categorised as in high, good, moderate, poor or bad condition. This information is available to the public on SEPA's website.

Overall, 66% of the water environment (rivers, lochs, coastal areas and groundwater) is currently classified in good condition compared to 16% based on the latest figures published by SEPA and England's Environment Agency.

This breaks down to the following water environment classification for each of the 4 themes:

- **Water quality 87% good**
- Water quantity 90% good
- Fish migration 88% good
- Physical condition 90% good

The classification of the water environment is a complicated assessment process so if the member wishes information about specific locations you should write to me.

**Q: What improvements will the River Basin Management Plans deliver?**

For each of the 4 key water environment themes, by 2027, the Plans aim for improvements in:

- **Water quality from 87% to 92% good**
- Water quantity from 90% to 96% good
- Fish migration from 88% to 99% good
- Physical condition from 90% to 92% good

Overall this represents a shift from 66% of our water environment classed as good in 2021 to 81% classed as good by 2027.

**Q: Why is raw sewage being allowed to be dumped in Loch Leven?**

Following the incident on 8 September, as reported in the media, SEPA inspected the location and found no evidence of sewage debris or pollution in the watercourse before it entered Loch Leven. This is because there was no discharge of untreated raw sewage from Kinross sewage works into the adjacent watercourse.

The storm tanks only discharge effluent that has been treated. This was set out in the letter from the Scottish Government to [redacted] on the 19 October.

SEPA currently classifies Loch Leven as moderate for water quality due to phosphorus. The most recent study commissioned by NatureScot concluded that 86% of the phosphorus load was sourced from rural diffuse pollution and this is reflected in the River Basin Management Plan. SEPA's planned priority catchment work with land managers and farmers aims to have measures in place before the end of the current River Basin Management cycle in 2027 to reduce rural diffuse pollution with the aim of improving Loch Leven's water quality.

NatureScot, SEPA and Perth and Kinross Council work closely with other stakeholders to protect the interests of Loch Leven Special Protection Area and Ramsar site by reducing phosphorus loading on the loch.

**Q: What is being done to reduce sewage spills on the River Esk?**

Both SEPA and Scottish Water work closely with other stakeholders as part of the Esk River Improvement Group, chaired by Colin Beattie MSP, to improve the water quality of the river. One focus of the group has been on Scottish Water's monitoring and investigation of CSOs and the sewer network to reduce sewage spills.

**Q: How does SEPA control water pollution?**

SEPA regulates sectors that utilise the water environment as a resource such as wastewater treatment.

New and existing discharges in the water environment are authorised through the Water Environment (Controlled Activities) (Scotland) Regulations 2011.

**Q: How does SEPA monitor the impact of sewage spills on the water environment?**

SEPA regularly monitors the water environment to ensure it is not impacted by sewage spills. In 2019, it took around 12,000 monitoring samples across Scotland to safeguard the water quality of our rivers, lochs and coastal areas.

SEPA licences and regulates 345 sewer networks operated by Scottish Water carrying out inspections on a rolling basis and in 2019 there were 7 out of 100 found not to be compliant with their licence conditions.

Scottish Water continue to record levels of Environmental Pollution Incidents that are well below the target of no more than 330 per year.

SEPA regulation has reduced pollution events from the public sewage system by 60% over the last decade from 800 each year to fewer than 300.

**Q: The UK Government has come under criticism for apparent inaction to deal with sewage spills. What is the position in Scotland?**

Scotland faces similar challenges to England in dealing with aging infrastructure and increasingly heavy rainfall leading to more sewer spills. The difference is that we introduced the Water Environment and Water Services (Scotland) Act in 2003 and the Controlled Activities Regulations in 2005 to protect and improve all Scotland's water environment from all activities liable to cause pollution, that includes discharges from sewers and unacceptable spills from storm overflows.

Supported by this statutory framework, the Scottish Government, SEPA and Scottish Water have been working together for many years to address these issues, and the River Basin Management Plans and Route Map illustrate the next significant phase of work. Such collaboration is infinitely more achievable in Scotland because we have an independent environmental regulator and a public water company which allows for the development and delivery of shared objectives.

**Q: With SEPA and Scottish Water working together on these matters over many years, is there not a risk that the lines between regulator and regulated become blurred?**

I agree there is a balance that must be struck. It is fortunate that, whilst being in a position to work collaboratively as public bodies, these 2 bodies also share a clear understanding of their respective roles and responsibilities.

We expect SEPA to behave in a manner that befits its status as independent environmental regulator and to challenge appropriately all those who have, or could have, a significant adverse effect on our water environment. In this instance, SEPA set out its regulatory position to Scottish Water, and Scottish Water has taken account of these requirements in the development of its route map. Those exchanges are now a matter of public record.

**Q: How does the Scottish Government value Scotland's precious natural water resources?**

I think you will agree that our ambition and vision set out in the River Basin Management Plans shows how seriously we value Scotland's natural water resources.

So to emphasise that's:

- £686 million invested in the last 10 years by Scottish Water to improve water quality
- 99% of bathing waters now classified at sufficient or better for 2022
- Up to £470 million to be invested in further wastewater improvements by 2027

**Q: What steps does SEPA take to protect the water environment?**

Preventing deterioration in the quality of the water environment is a key part of river basin management planning. SEPA regulates sectors that utilise the water environment as a resource such as aquaculture, hydropower, public water supplies and wastewater treatment, distilleries, and rural land management.

SEPA receives approximately 4000 applications each year for determination and sets conditions to protect the water environment.

SEPA also monitors compliance with the conditions set in authorisations and legislation, and will continue to protect the water environment from deterioration through the application of these controls.

**Q: What will the River Basin Management Plans do?**

SEPA has produced the third River Basin Management Plans (RBMPs) on behalf of the Scottish Government. These set out revised objectives for the 2021-27 period, and the associated work programme aims to ensure that 81% of Scotland's water environment achieve a 'good' or better condition by 2027, and continue to improve as natural conditions recover beyond that date.

The RBMPs set out a range of wide range of measures to protect and improve our water environment. These include:

- traditional regulatory approaches carried out by SEPA to prevent deterioration or improve water body condition;
- working with land managers to reduce diffuse pollution from agriculture, underpinned by general binding rules set out in regulations;
- removal of barriers to fish passage, through a combination of regulation at active operations and grant funding for owners of redundant barriers;
- partnership projects to restore rivers in the heart of our towns and cities, often in deprived communities, through grants from our Water Environment Fund.

**Q: Why hasn't more progress on improving the water environment been achieved?**

Progress has been achieved during the last river basin planning period, particularly in reducing pollution. However over the last 2 years the impact of COVID and the cyber-attack SEPA experienced in December 2020 have significantly delayed completion of the improvement projects in the second River Basin Management Plan cycle by the end of 2021.

The third River Basin Management Plans set out actions to complete all improvement measures, including those not finished in the 2<sup>nd</sup> Plans, by 2027.

**Q: What will the Plans do to address the impacts of climate change?**

Achieving the objectives of the River Basin Management Plans will contribute to building resilience into the water environment to the impacts of climate change.

However, river basin management planning does not operate in isolation. The Scottish Government's Environment Strategy creates an overarching framework for all of Scotland's environmental strategies and plans, including the Climate Change Plan. These all have outcomes that will affect and be affected by river basin management planning, and they all need to work together to achieve their goals.

**Q: What is the Scottish Government doing to reduce the impact of Climate Change on our water environment?**

Scotland's Climate Change Adaptation Programme 2019-2024 sets out a range of measures to adapt to climate change. Adaptation and resilience are therefore also key components of our green recovery from COVID-19.

In the 2020-2021 Programme for Government we committed to investing an extra £150 million for flood risk management over the next five years (in addition to the £42 million we spend annually), and £12 million in coastal change adaptation to help us adapt to the threat of sea level rise and protect our natural coastal defences from erosion.

We also aim to restore over 250,000 hectares of peatland with £250 million of investment between 2020 - 2030, protecting this significant carbon store, and restoring wetland habitats. The prioritisation of these "nature-based solutions" and restoration projects will deliver multiple benefits, not only in terms of carbon sequestration, but also enhanced biodiversity, improved air and water quality, and landscapes and ecosystems that are more resilient to climate change.

In the context of the global climate emergency, the Scottish Government published a new Water Resilient Places policy framework in February 2021. The framework reviews the Scottish Government approach to blue-green cities, brings forward proposals to support Scottish Water's increased use of natural, blue-green infrastructure to manage surface water away from homes and businesses, and to help create great places to live.

## **Investment and Scottish Water**

### **Q: Can the Minister instruct Scottish Water to monitor all CSOs?**

As I said in my closing statement to the recent member's debate, Scottish Water's improving urban waters route map sets out plans to improve monitoring and public communication regarding more than 1,000 of the highest-priority storm overflows by 2024. Scottish Water is currently working to identify the right locations for monitoring. By 21st December this year, it will publish its first annual update to highlight the progress made.

### **Q: How will the Scottish Government invest to improve our environment?**

Our publically owned water company, Scottish Water, has already invested £686 million to upgrade 104 waste water treatment works and 279 storm overflows across the country. The improving urban waters routemap sets out plans to invest a further £500 million during the 2021 to 2027 regulatory period. Scottish Water's investment programme will be supported by Government lending of up to £1.03 billion.

### **Q: Is the Minister concerned that CSOs are spilling more frequently?**

As the member knows, CSOs are designed to relieve the sewer network so that during periods of intense rainfall, the system does not flood customer's properties. Unfortunately, climate change means that we are experiencing storm conditions on a more regular basis than expected. The reality is that CSOs will have to operate more often to manage the increase in surface water. However, all CSOs are licensed by SEPA to ensure that there is no adverse impact on water quality during their operation.

We are already taking action to remove surface water from the sewer network. Scottish Water no longer accepts new surface water connections to the sewer unless there is no alternative, and we are looking to utilise nature-based solutions including blue-green infrastructure, which can turn the management of rain and surface water from a problem into an opportunity.

### **Q: Why is the River Almond polluted with sewage with 500 sewage spills in 2019 and what is being done about it?**

SEPA currently classifies the River Almond as moderate for water quality due to nutrient levels (ie phosphorus and nitrogen).

Plans have been agreed between SEPA and Scottish Water for upgrades to seven Scottish Water Wastewater Treatment Works (WwTWs) and six Combined Storm Overflows on the River Almond with the aim of improving water quality to 'good' status by 2027. Scottish Water is also progressing on two identified high priority CSOs in the River Almond catchment requiring screens to address significant litter issues. All this work is on track and Scottish Water estimates that it will invest up to £50m to deliver improvements in the River Almond.

**Q: What is being done to reduce sewage spills on the Water of Leith?**

Scottish Water has nearly completed a £7.5m project, which began in 2020, to upgrade 14 CSOs to improve the environment and water quality of the Water of Leith.

**Q: How do the River Basin Management Plans address the impacts from sewage discharges on water quality?**

Scottish Water carried out a comprehensive Scotland-wide environmental study programme to assess the impacts of its assets on water quality, which was reviewed by SEPA, during the 2015 to 2021 investment period costing around £40m.

Based on the outcomes of these studies the River Basin Management Plans set out the work required of Scottish Water to deliver all the necessary improvements to address water quality problems from sewage discharges identified by SEPA.

These include delivering improvements at 40 wastewater treatment works; and develop solutions for all 26 of the unsatisfactory storm overflows identified as impacting on water quality.

This should address all current known water quality issues.

## **Bathing Waters**

**Q: The Ferret have revealed that, over the summer, 49 of 87 designated bathing waters recorded levels of faecal bacteria that could endanger public health. Why are our Bathing Waters so polluted?**

Bathing Water classification in Scotland is undertaken by SEPA following strict EU standards. These were reviewed by the World Health Organisation in 2018, which concluded they were fit for purpose.

Classification gives an overall indication of expected water quality, but there can be short-term fluctuations in water quality driven by prolonged heavy rainfall. SEPA's monitoring of Bathing Waters shows water quality can be impacted by a range of bacterial sources, not just sewage spills, including agricultural land runoff, urban runoff, dog and seagull faeces. SEPA investigates poor water quality sample results to seek overall improvements to bathing water quality.

A small number of 'poor' monitoring results at each designated Bathing Water does not mean that water quality is continually poor on all days. SEPA analysed 1,297 water quality samples from 87 designated Bathing Waters this season and 93% were found to be at safe levels.

Last year, 99% of designated bathing waters (85) achieved the bathing water quality standards.

**Q: What are the risks to wild swimming due to water quality?**

Whilst there will be many other undesignated beaches, lochs and rivers across Scotland that are fit for bathing, it remains the personal responsibility of every individual to assess the risks before entering open water, whether at a designated bathing water or otherwise.

Public Health Scotland has not produced public health guidance relating to wild swimming. Queries regarding specific bathing water incidents are managed at local level by either the local authority or the local Health Protection Team. However, UK Health Security Agency advice is also applicable to open water swimming in Scotland.

Rivers and other open water locations that are not designated as bathing waters are managed for the purpose of protecting fish and wildlife. Water in these locations may contain levels of pathogens which are harmless to wildlife, but would not meet designated bathing waters standards.

The UK Health Security Agency advises that anyone can become unwell from swimming in any open water, as there will always be micro-organisms present.



**Q: What are designated Bathing Waters?**

A Bathing Water is designated where it is expected that a large number of people bathe in order to protect the health of bathers.

SEPA monitors and assesses the bathing water quality at these locations during the bathing season from 1 June – 15 September and make this information available to the public.

The bathing water season is the period where it is expected that a large number of people will bathe and historically in Scotland this is 1 June – 15 September.

SEPA produces an annual classification for each bathing water and takes steps to improve bathing quality where there are poor classifications.

**Q: How many Bathing Waters are there?**

There are now 87 bathing waters in Scotland (84 Coastal and 3 inland) in 2022.

**Q: What's the overall condition of Scotland's Bathing Waters?**

99% of Scotland's designated bathing waters met the required environmental water quality standards for the 2021 bathing water season.

Only one bathing water at Dhoon Bay didn't meet the minimum standard with the other 84 bathing waters being classified as sufficient, good or excellent. (85 bathing waters in 2021)

**Q: What were the actions taken to improve Ayr (South Beach )?**

Since 2018, the Scottish Government has driven an intensive programme of action at Ayr (South Beach) bathing water, in partnership with SEPA as follows:

- Scottish Government commissioned intensive on-the-ground studies to identify the exact location of pollution sources in the urban areas draining via watercourses to those poor bathing waters;
- Scottish Government funded action to remediate misconnections of foul drains to surface water drains from residential and commercial properties identified via those studies;
- SEPA continued its programme of work with farmers to protect and improve water quality in relevant catchments, building on 12 years of engagement with around 350 rural land managers to implement appropriate diffuse pollution control measures;
- Scottish Water has undertaken work to fix problems with its sewer network identified through the above studies, repairing damaged sewers, and cleaning out blockages;
- Scottish Government funded a campaign in partnership with Keep Scotland Beautiful to raise public awareness of the impact that dog and gull faeces can have on bathing water quality, with the aim of reducing pollution from such sources;

- During 2020/21, Scottish Water completed substantive new capital improvement works at Ayr (approx. £12 million) which were built and brought into operation prior to the 2021 bathing season, to minimise overflows from the sewers into the surface water drains.

**Q: What actions are being taken to improve bathing water at Dhoon Bay?**

SEPA is working closely with the local community and the local authority to put in place improved private sewage treatment systems serving domestic homes, with funds made available by the Scottish Government.

South of Scotland Enterprise is also involved in plans to upgrade treatment at a caravan park in an area that is important for tourism.

**Q: How are Bathing Waters designated?**

An independent panel, chaired by SEPA, considers new bathing water designation applications and makes recommendations to Scottish Ministers to consider for designation in May each year.

There are currently no new bathing water designation applications being considered by the panel.

**Q: Why, as a country, do we seemingly not value rivers for their amenity benefits, as much as our European counterparts in France, Germany and Italy?**

Due to Scotland being situated further north than many warmer European countries our climate has not traditionally encouraged large numbers of the public to bathe in our rivers.

Our geography also means that the majority of people in Scotland live relatively close to the coast and can enjoy our coastal beaches. However, we do have three inland bathing waters on Loch Ness, Loch Lomond and Loch Morlich where it is recognised that large numbers of people bathe.

## Background Note for PQ – S6O-01493

### Origin of Question

Alex-Cole Hamilton MSP raised a motion in Parliament on 26 October 2022 to discuss “sewage and Scotland’s waters”. He has previously raised the topic of environmental pollution in FMQs (May 2022). A number of other MSPs have previously submitted PQs to discuss:

- Sewage spills;
- Monitoring of CSOs;
- Water quality; and
- Bathing waters.

### Background

#### River Basin Management Plans

- The River Basin Management Plans are important tools for the protection and enhancement of Scotland’s rivers, lochs, estuaries and coastal waters. These support a range of priorities:
  - ensuring we have a healthy water environment that underpins the nation’s wellbeing, supplies drinking water and supports sustainable economic growth;
  - providing a high quality environment that attracts visitors to Scotland and promotes our export of high quality produce;
  - contributing to our targets for biodiversity, including wild salmon populations;
  - stimulating regeneration of green space and helping to reduce flood risk in our towns and cities, often in the most deprived areas.
- SEPA’s most recent classification results show that 66%\* of Scotland’s water bodies are now in good ecological condition or better (compared to England’s 16%\*\*). Although this 3% increase suggests a relatively small degree of improvement, there is a much stronger picture when this headline figure is disaggregated into separate assessments of water quality (87%), water resources (90%), physical condition (90%) and fish migration (88%)
- The third RBMPs set out revised objectives for the 2021-27 period, and the associated work programme aims to ensure that **81%** of Scotland’s water bodies achieve a ‘good’ or better classification by 2027, and continue to improve as natural conditions recover beyond that date. This proposed 15% improvement would reflect a huge step change in the condition of our water environment. The disaggregated figures indicate the following proportion of water bodies expected to achieve a good or better classification by 2027 – water quality (92%), water resources (96%), physical condition (92%) and fish migration (99%).
- Any new **activities** likely to have an adverse impact on the water environment, require authorisation from SEPA under the Water Environment (Controlled Activities) (Scotland) Regulations, known as ‘CAR’. These are authorised in line with environmental standards introduced using the best available science. SEPA

is progressively reviewing all activities which were on-going at the time of introduction of CAR in 2005/6, in order to bring these in line with the requirements of the WFD – these include abstractions for irrigation, hydropower, drinking water and Scottish Water’s sewage discharges. The pace of this work will be accelerated.

- SEPA licenses Scottish Water’s discharges of sewage effluent under the Water Environment (Controlled Activities) (Scotland) Regulations 2011, known as “CAR”. These licences specify the water quality standards to be met, and the requirements concerning the recording and reporting of pollution events. Activities controlled in this way include discharges from Wastewater Treatment Works (WwTW) and intermittent discharges at WwTWs or from the sewerage network.

## **Wastewater pollution and sewage related debris**

- Combined Sewer Overflows (CSOs) are an integral part of most of the sewer networks in Scotland, ensuring sewers don't back up and flood homes, streets and sewage works during periods of heavy rainfall. With climate change we are seeing an increase in the frequency and intensity of these types of rainfall events beyond what was predicted. The visibility of large amounts of sewage debris as a result of such spills has attracted public interest, which has grown due to "stay local" COVID restrictions, as well as the rise in popularity of wild swimming. Scottish Water's progress in resolving the issue of sewage spills is seen to be too slow.
- SEPA licenses Scottish Water's discharges of sewage effluent under the Water Environment (Controlled Activities) (Scotland) Regulations 2011, known as "CAR". These licences specify the water quality standards to be met, and the requirements concerning the recording and reporting of pollution events. Activities controlled in this way include discharges from Wastewater Treatment Works (WwTW) and intermittent discharges at WwTWs or from the sewerage network.
- There are 3,697 sewer overflows in Scotland. To date SEPA has focused its regulatory effort on addressing those sewer overflows which were causing the worst impacts. This has led to the upgrading of over 250 unsatisfactory sewer overflows over the past decade.
- In Scotland Ministers set Scottish Water's objectives and priorities and the independent economic regulator [Water Industry Commission for Scotland] WICS ensures necessary funding is in place to deliver them. In the current 2021-2027 regulatory period Ministers have already directed Scottish Water to take measures to further improve the water quality of Scotland's, rivers, lochs and bathing waters, including improving storm overflows to reduce the impact from their discharges.

## **Development of current position in Scotland**

- Following Ms McAllan's ask for further action on sewage spills, officials engaged in intensive discussions at senior levels with SEPA and Scottish Water, with the aim of identifying a programme of work that substantially ramped up progress in tackling these issues.
- Over the course of several months, SEPA and Scottish Water worked closely together to identify what steps could be taken to deliver Ministers' aims in this space.
- The original intention was to develop a joint SEPA/SW route map; however it was subsequently agreed that in recognition of SEPA's regulatory remit, SEPA would set out its regulatory position on this matter and Scottish Water would respond with its Route Map, and SEPA would then formally respond accepting the Route Map

- The 3<sup>rd</sup> River Basin Management Plans and the Routemap were both published in December 2021.

## **Commitments in Scottish Water Route Map**

Key aims of the Route Map include:

- Improved water quality (to support Scotland's RBMP objectives).
- Monitoring and reporting of discharges from all CSOs that discharge into the highest priority waters.
- Significantly reduced sewer related debris in the environment, and
- Reduced spills from the sewer network.

The Route Map identifies the following key short term activities (2021-24)

- Develop solutions for CSOs confirmed as impacting water quality and identified as measures in the third RBMP to allow delivery of improvements by December 2027. Investment is already agreed to deliver these solutions.
- Install monitoring on network and treatment works CSOs discharging to the highest priority waters (including all designated shellfish and bathing waters), representing approximately 1,000 CSOs.
- Develop and roll out a campaign to educate customers to reduce instances of flushing items which impact the sewerage system.
- Develop solutions for those CSOs that are already confirmed as being high priority having significant sewage debris impacts on rivers (85 locations).
- Identify the next tranche of priority (medium impact) CSOs and agree timescale for solution development.

The Route Map also identifies further actions for the period to 2031, subject to investment availability.

- Develop solutions for all medium priority CSOs (around 150 locations) and agree delivery timetables for these (currently estimated to cost around £150m - £200m).

## **Scottish Water – performance**

In 2021, Scottish Water was ranked the best UK water company and utility for customer service in a leading benchmarking survey. The Institute of Customer Service's latest UK Customer Satisfaction Index (UKCSI) showed that Scotland's public water and waste water provider was the highest rated organisation in the British utility sector and the ninth highest rated in all sectors out of a total of more than 270 organisations.

It delivers one of the largest capital investment programmes of any water utilities across the UK and between 2021-27 a further £4.5 billion will be invested in services across Scotland

Scottish Water continues to offer great value for money to its customers and its charges remain highly competitive.

Scottish Water is performing well as a publicly owned corporation; evidence of its performance is clearly demonstrated by the fact that Scottish Water is matching the levels of service provided by the companies in England and Wales whilst ensuring that the average household charge in Scotland is lower.

The average household charge in Scotland is £391 in 2022-23 – £28 lower than the average charge in England and Wales which is £419.

The investment programme contributes significantly to economic growth and will support over 5,000 jobs directly in the civil engineering, construction and design sectors - roughly 20% of the market in these sectors in Scotland.

## **Bathing Waters**

The Bathing Water Directive (BWD) introduced tougher standards from 2015. SEPA monitors water quality throughout the season, and bathing waters are then classified as 'excellent', 'good', 'sufficient', or 'poor'.

In 2015, the first set of new classifications for the 84 bathing waters designated at that time, were as follows: 17 'excellent'; 38 'good'; 12 'sufficient'; 17 'poor'.

Since 2015, measures have been in place to improve compliance with the standards. Such measures include improvements to Scottish Water assets and measures to reduce diffuse agricultural pollution.

Classification is calculated using the monitoring data from the current year and the preceding 3 years. With there being no 2020 monitoring due to COVID restrictions, the 2022 classification was based on 2017/2018/2019 and 2021 data

Under the BWD, if a bathing water receives 5 consecutive 'poor' classifications, certain actions must be taken, including the posting of permanent 'bathing not advised' signs. The Bathing Waters (Scotland) Regulations 2008 make provision for SEPA to consider using only one year's monitoring data in classifying bathing waters where significant infrastructure improvements have been made, with associated improved monitoring results. This is known as the 'step change approach'.

The 2021 results showed improvement across all classes. Ayr South and Rockcliffe have benefitted from the 'step change approach'. Only one site, Dhoon Bay, remains at poor.

### **Summary of latest Bathing Water classification.**

<b>Classification</b>	<b>2021</b>
Excellent	32
Good	35
Sufficient	17
Poor	1
Total	85

That means 99% of our bathing waters have met the necessary sufficient or better standards.

The 2022 Bathing Water classification results, which include this seasons monitoring data, will not be published by SEPA until November.

## **Wild swimming**

Rivers and other open water locations that are not designated as bathing waters are managed for the purpose of protecting fish and wildlife, not people, so health risks from using these locations may be higher than at designated bathing waters. They can contain levels of pathogens which are harmless to wildlife but would not be acceptable in designated bathing waters.



The UK Health Security Agency advises that anyone can become unwell from swimming in any open water, as there will always be micro-organisms present.

Contact Name: [redacted]  
Ext: [redacted]

**From:** [REDACTED]  
**To:** [Minister for Environment and Land Reform](#); [REDACTED]  
**Cc:** [Rathjen J \(Jon\)](#); [REDACTED]  
**Subject:** RE: SUPP FOR S6O-01493 - JIM FAIRLIE  
**Date:** 03 November 2022 13:08:00

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Hi [REDACTED],

Please see proposed answer below:

The Scottish Government's ambitions are set out in the third iteration of the River Basin Management Plans, published on 21st December 2022. For each of the 4 key water environment themes, by 2027, the Plans aim for improvements in:

- Water quality from 87% to 92% good
- Water quantity from 90% to 96% good
- Fish migration from 88% to 99% good
- Physical condition from 90% to 92% good

Overall this represents a shift from 66% of our water environment classed as good in 2021 to 81% classed as good by 2027. The Plans will be supported by SEPA, as environmental regulator, and further investment by Scottish Water as detailed in its improving urban waters routemap.

Thanks,

[REDACTED]  
Policy Officer  
Water Industry Team  
Scottish Government  
Office: [REDACTED]  
Mobile: [REDACTED]

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**From:** [REDACTED]@gov.scot> **On Behalf Of** Minister for Environment and Land Reform  
**Sent:** 03 November 2022 12:07  
**To:** [REDACTED]@gov.scot>  
**Cc:** [REDACTED]@gov.scot>; Rathjen J (Jon) <Jon.Rathjen@gov.scot>; Minister for Environment and Land Reform <MinisterELR@gov.scot>  
**Subject:** SUPP FOR S6O-01493 - JIM FAIRLIE

Hi [REDACTED],

Please see below supplementary Q that we have received for Ms McAllan. Grateful for a draft answer to this please by 1pm.

*Supp: Loch Leven is a beauty spot in my constituency so naturally I have followed*



## **Mark Ruskell SUPP- S6O-01493**

**Question :** The beautiful Loch Leven in my constituency is one of Scotland's best loved wild swimming spots and unique freshwater habitats. And despite this, we're still seeing instances of raw sewage discharge from neighbouring treatment centres. Working with the local community and regulators down the road in Kinghorn, I have seen the huge improvements to water quality that resulted from designating the beach as a bathing water area. Can I ask the Minister what consideration has been made of establishing Loch Leven and other freshwater habitats as bathing waters?

### **Answer :**

The issue of raw sewage being discharged into Loch Leven was raised at the recent debate and as I noted at the time, following the incident on 8 September, SEPA inspected the location and found no evidence of sewage debris or pollution in the watercourse before it entered Loch Leven. This is because there was no discharge of untreated raw sewage from Kinross sewage works into the adjacent watercourse.

The storm tanks only discharge effluent that has been treated. This was set out in the letter from the Scottish Government to [redacted] on the 19 October.

In relation to Bathing Waters, these are designated by Scottish Ministers where they expect a large number of people to bathe, having regard to past trends and available infrastructure or facilities provided, or other measures to promote bathing. Any organisation or individual can submit a bathing water

designation form, available on SEPA's website, for consideration. Currently, in Scotland we have three inland freshwater bathing waters at Luss on Loch Lomond, Loch Morlich near Aviemore, and Dores on Loch Ness.