

Firstly, a small amount of information has been redacted under Regulation 10(4)(e) (internal communications). This exception is subject to the 'public interest test'. Therefore, taking account of all the circumstances of this case, we have considered if the public interest in disclosing the information outweighs the public interest in applying the exception. We have found that, on balance, the public interest lies in favour of upholding the exception. We recognise that there is some public interest in releasing the information as part of an open, transparent and accountable government. However, this is outweighed by the greater public interest in allowing Scottish Government officials and ministers a private space to share free and frank views for the purpose of deliberation on any given policy.

A small amount of information has been withheld under regulation 10(5)(f) (third party interests). This exception is subject to the 'public interest test'. Therefore, taking account of all the circumstances of this case, we have considered if the public interest in disclosing the information outweighs the public interest in applying the exception. We have found that, on balance, the public interest lies in favour of upholding the exception. We recognise that there is some public interest in releasing the information as part of an open, transparent and accountable government. However, disclosure of this particular information would, or would be likely to, prejudice substantially the confidentiality of said information and the interests of those providing information to the Scottish Government in confidence.

Lastly, a small amount of information has been redacted from the documents disclosed under Regulation 11 - Personal Data as it contains personal information and disclosing it would contravene the data protection principles in Article 5(1) of the General Data Protection Regulations (GDPR) and in Section 34(1) of the Data Protection Act 2018. This exception is not subject to the 'public interest test'.

From: [REDACTED: REGULATION 11(2)]<[REDACTED: REGULATION 11(2)]@sepa.org.uk>
Sent: Fri 23/08/2024 17:28
To: [REDACTED: REGULATION 11(2)]<[REDACTED: REGULATION 11(2)]@gov.scot>
Subject: Request for bathing water lines

OFFICIAL

Hi [REDACTED: REGULATION 11(2)],
Please see attached.

Let us know if you need anything else,
[REDACTED: REGULATION 11(2)]
OFFICIAL

Scottish Government briefing note, Portobello and Fisherrow bathing waters

Water quality sampling and classifications

There are two designated bathing waters at Portobello, Portobello (Central) and Portobello (West), which lie either side of the Figgate Burn. Fisherrow Sands is to the east. All three bathing waters are sampled 18 times, approximately weekly, during the bathing season.

We analyse water samples for *Escherichia coli* and intestinal enterococci and post the results throughout the bathing season. Bathing water quality classifications (of excellent, good, sufficient or poor) are calculated at the end of the season and apply to each bathing water for the duration of the following season.

Most samples at these locations indicate that the water quality is in line with bathing standards but we do occasionally get an elevated result. If this occurs we investigate for potential sources and provide a precautionary warning to potential water users whilst this investigation is underway. We also run additional microbiological source tracking (MST) analysis on the sample which usually gives a clear indication if the pollution source is from human, ruminant (mainly cattle and sheep), gull or dog sources. Our officers check for issues including at Scottish Water assets in the area and as necessary a follow-up sample is taken to either demonstrate water quality is back to normal or to further investigate any pollution source.

Daily water quality forecasts

These urban bathing waters can be impacted by short term pollution after heavy rain, which can cause overflows from sewage systems and wash contaminants off both urban and rural land.

To enable potential bathers to make an informed choice about using the water, we make daily bathing water quality predictions which are accessible from electronic information signs at the beach locations and online. We warn against bathing when poor water quality is predicted, enabling beach users to make an informed choice about using the water or sticking to shore based activities. If there was a specific pollution incident our

electronic signs can be used to post bespoke information messages.

Any samples collected during short-term pollution events, when there is a public warning system in place to inform prospective bathers of potentially poorer water quality can be removed from the overall classification dataset. Management measures must be in place to prevent, reduce or eliminate the causes of the pollution. A maximum of 15% of samples can be discounted from the classification dataset

Portobello (Central)

Portobello (Central) routinely achieves a sufficient classification. It achieved a good classification in 2022 (for display in 2023) and potentially may do so again at the end of this season.

Whilst most samples indicate bathing water quality in line with standards, this year in July we had an elevated result where we were not able to identify a definitive source. However, on this occasion at Portobello:

- our sampler noted no unusual observations when they collected the sample
- the elevated levels only occurred at Portobello (Central) and not Portobello (West)
- our officers found no issues when we checked Scottish Water assets in the area
- our MST analysis didn't indicate a clear human source
- a follow-up sample showed water quality was back to normal

Overall, this leads us to conclude that this was a localised short-term issue, most likely dog fouling, or a gull depositing in the area just before sampling took place.

Portobello (West)

Portobello (West) has met the sufficient standard since 2018, prior to this it had a poor classification. A sufficient classification is expected at the end of this season, although as in some previous years it is likely to be considered a "risky sufficient" as it will be within 20% of the poor boundary.

Fisherrow Sands

Fisherrow Sands was redesignated as a bathing water prior to the 2023 bathing season following improvement work and an evidenced improvement in water quality (it was de-designated at the end of 2019 following five consecutive poor classifications as required by the Bathing Water (Scotland) Regulations).

At the end of the 2023 season it achieved a good classification.

As at Portobello (Central) in July this year we had an elevated result where we were not able to identify a definitive source - only at Fisherrow the result was considerably higher.

The bathing water classifications are calculated using percentiles, themselves calculated from the average and standard deviation (or spread) of the data. Percentiles are usually calculated using four years' of data, but Fisherrow's classification will be calculated using only the two years' of data since redesignation.

[REDACTED: REGULATION 10(5)(f)]

[REDACTED: REGULATION 10(5)(f)]



[REDACTED: REGULATION 11(2)]
23 August 2024

Cabinet Secretary for Net Zero and Energy
Rùnaire a' Chaibineit airson Cothromachadh
Carboin is Cumhachd
Gillian Martin MSP/BPA



Scottish Government
Riaghaltas na h-Alba
gov.scot

T : 0300 244 4000
E : scottish.ministers@gov.scot

John Lamont MP
john.lamont.mp@parliament.uk

Our Reference: 202400425360
Your Reference: JL47016

23 August 2024

Dear John,

Thank you for your email of 5 August 2024 on behalf of your constituents regarding a potential sewage discharge into the River Tweed.

I have written to Scottish Water to convey your constituents' concerns and seek further information on the issue. I understand that Scottish Water has recently written to you to confirm that it found no evidence of raw sewage at the locations identified by your constituents.

I can re-assure your constituents that Scotland's rivers, lochs and coastal waters are world-renowned and the Scottish Environment Protection Agency (SEPA) classifies 67% in overall good ecological condition. For water quality alone, SEPA classifies 87% of our water environment as having 'good' water quality and last year 98% of Scotland's bathing waters passed stringent environmental standards.

Scotland's River Basin Management Plans (RBMP) have measures in place to achieve 92% 'good' water quality by 2027. However, we are never complacent. Indeed, £880 million has already been invested between 2010-2021 to meet environmental quality drivers and activities under Scottish Water's improving urban waters routemap commits up to a further £500 million during the regulatory period 2021-27. Scottish Water is committed to protecting Scotland's urban waters and will continue to work in partnership with the Scottish Government, SEPA, local authorities, customers, and others to this end.

Your constituents have also raised concerns in relation to the impact of new housing developments. Scottish Water's surface water policy has been in place for a number of years and it no longer accepts additional surface water discharges into its sewer network unless no alternative technical solution is available. The policy allows more sustainable management of surface water, including through the use of blue-green infrastructure and SUDS, and helps prevent customers from being flooded, particularly as Climate Change and increasing areas



of impermeable surfaces mean more rainwater is entering the sewerage network through an increase in storm conditions.

Furthermore, we are currently in the process of reviewing water, wastewater and drainage policies in response to the climate emergency. This includes consideration of appropriate wastewater collection and treatment, and managing surface water. The [results of the consultation](#) are now available online.

I hope that this information is helpful to your constituents. Yours sincerely,

GILLIAN MARTIN

From: [\[REDACTED: REGULATION 11\(2\)\]](#) on behalf of [Public Affairs](#)
To: [\[REDACTED: REGULATION 11\(2\)\]](#)
Cc: [\[REDACTED: REGULATION 11\(2\)\]](#); [\[REDACTED: REGULATION 11\(2\)\]](#); [\[REDACTED: REGULATION 11\(2\)\]](#)
Subject: Scottish Water meeting with Chris Murray MP - 27th August
Date: 27 August 2024 13:12:40
Attachments: [image001.jpg](#)
[SW Waste Water briefing presentation - Aug 24 - Edinburgh focus\).pdf](#)

Hi [\[REDACTED: REGULATION 11\(2\)\]](#),

Following on your email exchange with [\[REDACTED: REGULATION 11\(2\)\]](#) last week, I can confirm that [\[REDACTED: REGULATION 11\(2\)\]](#) and [\[REDACTED: REGULATION 11\(2\)\]](#) met with Chris Murray MP this morning in our FMH office. The meeting was generally constructive and helped to bring Chris up to speed on waste water topics including CSOs and our investment in the monitors and improvements to the WW network. [\[REDACTED: REGULATION 11\(2\)\]](#)

[\[REDACTED: REGULATION 11\(2\)\]](#) and [\[REDACTED: REGULATION 11\(2\)\]](#) further explained our investment process and how we are regulated, [\[REDACTED: REGULATION 10\(5\)\(f\)\]](#)

[\[REDACTED: REGULATION 11\(2\)\]](#) has followed up after the meeting with the following email providing some further information. He has also offered to arrange a site visit to Seafield WWTW.

[\[REDACTED: REGULATION 11\(2\)\]](#), [\[REDACTED: REGULATION 11\(2\)\]](#) – is there anything else worth sharing from your meeting?

Kind regards,
[\[REDACTED: REGULATION 11\(2\)\]](#)
[\[REDACTED: REGULATION 11\(2\)\]](#)

[\[REDACTED: REGULATION 11\(2\)\]](#) Public
Affairs Team
M: [\[REDACTED: REGULATION 11\(2\)\]](#) | **E:** [\[REDACTED: REGULATION 11\(2\)\]@scottishwater.co.uk](#)
[Scottish Water, Corporate Affairs](#)
SW Public General

From: [REDACTED: REGULATION 11(2)]<[REDACTED: REGULATION 11(2)]@SCOTTISHWATER.CO.UK>
Sent: Tuesday, August 27, 2024 12:30 PM
To: chris.murray.mp@parliament.uk; [REDACTED: REGULATION 11(2)]<[REDACTED: REGULATION 11(2)]@parliament.uk>
Cc: [REDACTED: REGULATION 11(2)]<[REDACTED: REGULATION 11(2)]@scottishwater.co.uk>; Public Affairs <Public.Affairs@scottishwater.co.uk>
Subject: Scottish Water meeting - 27th August

Dear Chris,

Great to meet you and [REDACTED: REGULATION 11(2)] today at our Fairmilehead office and spend some time discussing Scottish Water, answering your questions and focusing on Portobello and other concerns.

Attached is a copy of the slides that [REDACTED: REGULATION 11(2)] and I used today to frame much of the conversation.

I've also dropped a number of links below which were things that came up over the course of our meeting and thought might be useful:

- [Water, wastewater and drainage: consultation analysis - gov.scot \(www.gov.scot\)](https://www.gov.scot) : Link to the Water, Wasterwater and Drainage, Scottish Government consultation, which we mentioned is reviewing the current legislation
- [Improving Urban Waters Routemap - Scottish Water](#) : Our website page which outlines our Improving Urban Waters Routemap and projects and progress in relation to this [Prioritisation of Sewer Overflows in Scotland - Scottish Water](#) : How we are prioritising investment in Combined Sewer Overflows
- [Bathing Waters | Locations and results | Scottish Environment Protection Agency \(SEPA\)](#) : SEPA webpage for all bathing water sample information from this bathing season. For example, if you look at Portobello Central, of 14 samples that have been taken - 12 at Excellent, 1 Good and 1 Poor.

We'll be in touch to set up a further meeting and site visit to Seafield Waste Water Treatment Works.

If you have any further questions from the meeting today, please don't hesitate to email and ask. We are also happy to look into the overflows which you mentioned your constituents are reporting to you, so we can check if these are Scottish Water assets and report back on how they are operating.

Kind regards

[REDACTED: REGULATION 11(2)]

[REDACTED: REGULATION 11(2)]
Communications & Engagement Manager
Corporate Affairs
Scottish Water
Mob. [REDACTED: REGULATION 11(2)]

From: [REDACTED: REGULATION 11(2)]<[REDACTED: REGULATION 11(2)]@environmentalstandards.scot>; on behalf of; Mark Roberts <[REDACTED: REGULATION 11(2)]@environmentalstandards.scot>

Sent: Fri 30/08/2024 12:51

To: Cabinet Secretary for Net Zero and Energy <cabsecfornze@gov.scot>

Cc: Neil Langhorn <[REDACTED: REGULATION 11(2)]@environmentalstandards.scot>; [REDACTED: REGULATION 11(2)]<[REDACTED: REGULATION 11(2)]@environmentalstandards.scot>; Rebecca Peppiette <[REDACTED: REGULATION 11(2)]@environmentalstandards.scot>; [REDACTED: REGULATION 11(2)]<[REDACTED: REGULATION 11(2)]@environmentalstandards.scot>; Anne Aitken <[REDACTED: REGULATION 11(2)]@gov.scot>; [REDACTED: REGULATION 11(2)]<[REDACTED: REGULATION 11(2)]@gov.scot>; [REDACTED: REGULATION 11(2)]<[REDACTED: REGULATION 11(2)]@gov.scot>; [REDACTED: REGULATION 11(2)]<[REDACTED: REGULATION 11(2)]@gov.scot>; [REDACTED: REGULATION 11(2)]<[REDACTED: REGULATION 11(2)]@gov.scot>; [REDACTED: REGULATION 11(2)]<[REDACTED: REGULATION 11(2)]@gov.scot>

Subject: ESS analytical report on sewage discharge into the aquatic environment

Dear Acting Cabinet Secretary,

Please find attached letter regarding publication of ESS' analytical report on sewage discharge into the aquatic environment.

Please note the report is to be published on 4 September and as such the attached copy is embargoed until that date.

Best wishes,

Mark Roberts (he/his)
Chief Executive Officer
[REDACTED: REGULATION 11(2)]@environmentalstandards.scot

**ENVIRONMENTAL
Standards Scotland**
Irean Àrainneachdail na h-Alba

General Enquiries | enquiries@environmentalstandards.scot
0808 1964000 | www.environmentalstandards.scot
Address: Thistle House, 91 Haymarket Terrace, Edinburgh, EH12 5HD



Mark Roberts
Chief Executive
Environmental Standards Scotland
Ìrean Àrainneachdail na h-Alba

ENVIRONMENTAL
Standards Scotland
Ìrean Àrainneachdail na h-Alba

[REDACTED: REGULATON
11(2)]@environmentalstandards.scot

Gillian Martin MSP
Acting Cabinet Secretary for Net Zero and Energy
The Scottish Government
St Andrew's House
Regent Road
Edinburgh
EH1 3DG
cabsecfornze@gov.scot

30 August 2024

Dear Acting Cabinet Secretary,

On 4 September 2024, Environmental Standards Scotland (ESS) will publish a report summarising its analysis of sewage discharge from storm overflows into the aquatic environment. I enclose a copy of this report.

ESS undertook this analysis as a result of public concern about sewage discharge, the lack of publicly available data on storm overflows in Scotland and investigations into this issue in England.

ESS' report:

- analyses the data and evidence on the frequency and duration of sewage discharges from storm overflows in Scotland
- summarises a literature review focused on studies of continuous treated discharges and intermittent discharges
- examines the effectiveness of existing legislation and guidance including in light of future changes, such as climate change and the proposed revisions to the European Urban Waste Water Treatment Directive

The report makes a number of recommendations to the Scottish Government, the Scottish Environment Protection Agency (SEPA) and Scottish Water. The report concludes that there is no comprehensive, publicly available information on the scale and environmental impact of spills from storm overflows in Scotland. We recommend that the Scottish Government, Scottish Water and SEPA must improve the data made available to the public in relation to waste water spills, compliance with licences and environmental pollution incidents to provide a comprehensive and accessible picture of the scale of spills from storm overflows.

Furthermore, the report recommends that the Scottish Government should as a matter of priority: (1) prepare and publish up to date, clear and specific guidance about the

exceptional circumstances in which it is permissible for storm overflows to spill; (2) ensure this guidance takes into account predicted future climatic conditions (commissioning further research if required); and (3) provide up to date information on BTKNEEC requirements.

A revised Urban Waste Water Treatment Directive was formally adopted by the European Parliament on 10 April 2024. The Scottish Government will need to review the legislation relating to waste water management to meet its commitment to keep pace with developments in European policy and legislation.

These recommendations made by ESS (under section 20(2)(c) of the UK Withdrawal from the European Union (Continuity) (Scotland) Act 2021) and wider findings of the analysis will be published in the form of an analytical report, "Storm overflows – an assessment of spills, their impact on the environment and the effectiveness of legislation and policy". ESS has issued a copy of the report to the Scottish Government, SEPA and Scottish Water, and it will be published on ESS' website.

ESS expects the Scottish Government, SEPA and Scottish Water to respond to the recommendations laid out in the report, making a statement about the action they intend to take to address them, as soon as possible and no later than six months from publication of the report.

Yours sincerely,

Mark Roberts
Chief Executive

• EDINBURGH •
THE CITY OF EDINBURGH COUNCIL

Cabinet Secretary for Net Zero and Just Transition
Màiri McAllan
Mairi.McAllan.msp@parliament.scot

05/09/2024
Your ref

Our ref SJ/AR

Dear Màiri,

Following a motion at the City of Edinburgh Full Council, I write to you outlining support for a Clean Water Act, including upgrades to our Victorian sewage network and a clamp down on discharges, and with an ambition to ensure every CSO is monitored and a blue flag system which incentivises cleaner fresh water for all.

Edinburgh Council is committed to tackling climate and nature emergencies in all forms and is concerned that the quality of the city's waterways are a threat to biodiversity, health and the environment. Environmental groups have identified high levels of dangerous bacteria in the Figgate Burn, causing contamination to a popular beach and swimming destination. There is also



concern that there was no reporting of contamination caused by overflow pipes at beaches such as Portobello.

Edinburgh's sewer network dates back to the 1800's and thus is in need of an upgrade. If we are able to develop and modernise our sewer network this would also help reduce the amount of water wasted and limit the need for costly repairs and maintenance. More modern infrastructure would also enable greater monitoring of CSO's and increase our ability to limit discharges into our waterways.

I would welcome an acknowledgment of Edinburgh Council's concerns over water quality in Edinburgh and I hope you are supportive of my request for a Clean Water Act.

Yours sincerely

Cllr Stephen Jenkinson
Transport and Environment Committee Convener

Stephen Jenkinson, Labour Councillor, Pentland Hills

City Chambers, High Street, Edinburgh, EH1 1YJ Tel [REDACTED: REGULATION 11(2)]; Mob [REDACTED: REGULATION 11(2)];
Cllr.Stephen.Jenkinson@edinburgh.gov.uk

Briefing for Cabinet Secretary for Net Zero & Energy - Gillian Martin

What	The Cabinet Secretary will meet Chris Murray MP to discuss the quality of the water environment in Scotland.
Where	MS Teams
When	Thursday 5 September 2024, 10:00-10:30
Key message(s)	<ul style="list-style-type: none">• We take the issue of sewage pollution incidents very seriously• 87% of Scotland's entire water environment is assessed by SEPA as having a 'high' or 'good' classification for water quality• Scottish Water's Improving Urban Waters Route Map sets out a programme of continued action to reduce wastewater pollution and sewage litter over the coming decade backed by investment of up to half a billion pounds
Who	Chris Murray, Labour MP for Edinburgh East and Musselburgh Sarah Boyack, MSP for Lothian Region
Why	[REDACTED: REGULATION 10(4)(e)]



Supporting official	[REDACTED: REGULATION 11(2)] [REDACTED: REGULATION 11(2)] [REDACTED: REGULATION 11(2)]
Briefing contents	Annex A: Top Lines to Take Annex B: Background Annex C: Previous Engagement

Annex A

Top Lines to Take

SCOTTISH WATER

- As a publicly owned corporation, there are no dividends paid to shareholders.
- Scotland's commitment to public ownership of our water industry means that every pound raised is re-invested in the water industry.
- Investment has been steadily increasing year-on-year since the creation of Scottish Water in 2002.
- £1.02bn was invested in 2023-24 – upgrading essential treatment works, water supply and sewer networks.
- [REDACTED: REGULATION 10(4)(e)]
[REDACTED: REGULATION 10(4)(e)]

PORTOBELLO ADVICE AGAINST BATHING

- Microbial source tracking (MST) uses DNA-based techniques to determine the sources of bacteria in water.
- Due to the high bacteria count last month, SEPA officers checked Scottish Water assets in the area, as well as other potential sources, but no signs of pollution were detected. If the high result had been caused by sewage a clear MST indication of human would be expected.
- SEPA's monitoring of Bathing Waters shows water quality can be impacted by a range of bacterial sources following heavy rain and not just sewage spills; including agricultural land runoff, urban runoff, and dog and seagull faeces.

SCOTLAND'S ENVIRONMENTAL WATER QUALITY

86.5% of Scotland's entire water environment is assessed by SEPA as having a 'high' or 'good' classification for water quality – up from 82% six years ago.

- 98% of Scotland's bathing waters currently achieve the bathing water quality standards with more being rated excellent than ever before.
- Short term fluctuations in water quality caused by heavy rainfall are experienced at Bathing Waters across the UK and Europe.
- In line with globally recognised guidance, SEPA advises against bathing for up to 48 hours after heavy rainfall due to the increased risk of poor water quality from a range of different sources.
- Whilst a small number of 'poor' monitoring results at a designated Bathing Water is disappointing, often it is unavoidably weather related, and is not an indication that water quality is continually poor on all other days.

COMBINED SEWER OVERFLOWS (CSOs)

- It's not accurate to call CSO spills from the wastewater network "sewage dumps". Normally, what is spilled is wastewater which has been highly diluted by rain water - **the toilet sewage element is less than 1% of the total volume.**



SEWAGE OUTFLOW MONITORING

Increasing the monitoring of sewage outflow pipes would not change the classification of the water environment under the current system by SEPA.

- Rather than permanent monitoring, which is the common approach for water companies in England, Scottish Water carried out a more comprehensive Scotland-wide environmental study programme (in partnership with SEPA) to assess the impacts of its assets on water quality during the 2015 to 2021 investment period, [REDACTED: REGULATION 10(4)(e)]
- The computer models Scottish Water developed allow it to understand when CSOs will spill, under what rainfall conditions and the impact they will have on the environment. This allows Scottish Water to target its investments accordingly.
- Scottish Water has committed to installing 1,000 new Event Duration Monitors (EDMs) by the end of this year.
- These monitors are being installed on CSOs where spills are considered more likely due to capacity and weather impacts.
- Scottish Water has also committed to providing monitors on all its CSOs within 2km of a designated bathing water and provide near real-time spill data by December 2024.
- The spill monitoring data will inform the public and support SEPA's and Scottish Water's work to prioritise investment where it will most benefit our environment, bathers and communities.
- The progress with the installation of these monitors has increased the percentage of CSOs that are monitored from 4% to around 25%.

Monitoring alone will not improve the classification of the water environment. That is why Scottish Water is committed through its routemap to investing in Waste Water Intelligent Networks (WWINs).

- Scottish Water has installed intelligent networks in four high-priority areas in Inverness, Lossiemouth, Erskine and East Calder, deploying a total of 232 network sensors.
- Intelligent networks use sensor technology in sewer manholes to alert Scottish Water to unexpected rises in the wastewater level, indicative of a blockage.
- This enhanced asset intelligence has detected and prevented 9 environmental pollution incidents and 26 flooding incidents, which would otherwise have impacted the water environment.
- A further 25 chokes or blockages have been responded to before there was any impact on consumers or the environment.
- In the second phase in late 2024 into early 2025, this initiative is being expanded throughout Scotland in a further 12 high-priority areas, deploying a further 1,500 network sensors.

Other Improving Urban Waters Routemap commitments

- Scottish Water are developing detailed solutions to address 109 high priority unsatisfactory CSOs, identified in conjunction with SEPA, that have water quality or sewer related debris impacts.
- Scottish Water is also developing solutions for 39 waste water treatment works which are included as water quality improvement measures.

POLICY DEVELOPMENT

The root cause of most CSO spills is increased rainfall due to climate change. We are determined to tackle this by limiting the amount of rainwater entering sewers.

- We recently consulted on how Scotland and its water industry needs to adapt to the impacts of climate change exemplified by recent droughts and storms, and published an analysis of the responses in July.
- 82% of respondents said that Scotland's drainage system should be a combination of traditional grey and blue/green infrastructure.
- 95% agreed there is a need to plan, build, maintain and make room for drainage infrastructure to better manage rainwater in our communities.
- We are considering the responses to the consultation and developing policies that will limit the amount of rainwater entering sewers, tackling the root cause of most CSO spills.

Annex B

Background

The Scottish Water Industry consists of wholesale provider, retail providers, economic and quality regulators, consumer advocacy and activities to support a wider economic development agenda. Numerous jobs are supported through this industry including 4,200 directly within Scottish Water and a further 5,000 in the construction industry and wider supply chain.

Key Facts and Figures

Scottish Water is the UK's fourth largest provider of water and wastewater services. It supplies roughly 97% of Scotland's population with drinking water and removes wastewater from 93% of the population. [REDACTED: REGULATION 10(4)(e)]

Scottish Water owns and maintains 30,586 miles of water pipes, 229 water treatment works, 33,982 miles of sewers and 1,838 wastewater treatment works. These are managed so as to ensure that that drinking water supplied to customers and wastewater discharged to the environment meet strict legislative standards.

Sewage spills

[REDACTED: REGULATION 10(4)(e)] Sewage spills from CSOs has emerged as a public concern during the pandemic when increased use was made of the environment for recreational activities. Spillages are not a new issue, although climate change and increasing urbanisation has contributed to the increasing frequency of spills. A number of MSPs (Lib Dem and Labour) have submitted PQs and correspondence raising: Sewage spills in general; Monitoring of CSOs; Environmental water quality; and Bathing waters.

What is a CSO?

Combined Sewer Overflows (CSOs) are an integral part of most of the sewer networks in Scotland and across the UK. Scotland's sewerage system is designed to accept both sewage, wastewater and drainage. In the event of very heavy rainfall it is designed to spill dilute wastewater to the environment to ensure that sewers don't back up and flood homes, streets and sewage works.

With increasing areas of impermeable surfaces (also known as urban creep) and the impact of climate change (increasing frequency and intensity of these types of rainfall events), CSOs are spilling more frequently. This is exacerbated by blockages in the network due to inappropriately-flushed items e.g. types of wet wipes, hygiene products etc. and other detritus that finds its way into the network.

Unless screens are fitted to CSOs, dilute sewage and any rubbish (also known as sewage related debris) is also discharged to the environment. The visibility of sewage debris as a result of such spills has attracted public interest, which grew due to “stay local” COVID restrictions, as well as the rise in popularity of wild swimming and the activities of pressure groups such as Surfers Against Sewage. [REDACTED: REGULATION 10(4)(e)]

How is water quality protected?

A framework derived from European Directives (Water Framework Directive) is the basis for assessing and protecting the water environment.

Statutory objectives to protect and improve Scotland’s water environment by 2027 have been set and are based on ecological assessments and economic judgments. The regulations cover all types of water body.

SEPA licenses Scottish Water’s discharges of sewage specifying the water quality standards to be met, and the requirements concerning the recording and reporting of pollution events. There are approximately 4,000 CSOs in Scotland. To date, SEPA has focused its regulatory effort on addressing those sewer overflows which were causing the worst environmental impacts. This has led to the upgrading of over 250 unsatisfactory sewer overflows over the past decade.

What actions is SEPA taking?

The Scottish Environment Protection Agency (SEPA) has a responsibility to protect and improve Scotland's environment. For the water environment, we have committed through River Basin Management Planning, that 81% of waterbodies achieve ‘good’ overall status by 2027.

Our objectives for the water industry regulatory period 2021-27 and the associated work programme to reduce pollution from all sources including the sewerage network, aims to ensure that 92% of Scotland’s waterbodies achieve ‘good’ or better condition for water quality by 2027 and continue to improve as natural conditions recover beyond that date.

SEPA’s most recent classification results show that 67% of Scotland’s waterbodies are now in good overall condition or better. There is a much stronger picture when this headline figure is disaggregated into separate assessments of water quality (86.5%), water resources (90%), physical condition (90%) and fish migration (88%).

What actions is Scottish Water taking?

Scottish Water has published its Improving Urban Waters Routemap outlining how it will continue to invest to improve Scotland’s water environment. Scottish Water has already invested £686 million since 2010 and this routemap commits to a further £345-470 million during 2021-27.

The second annual Routemap update was published in December 2023 highlighting:

- 4 high priority discharge projects had been delivered, and a further 61 were underway to develop solutions and support delivery to all high priority CSO discharges by 2027.
- Priority locations have been identified for the 1,000 spill monitors, with 230 installed by the end of 2023.

- 229 further discharge monitors had been installed as part of the Wastewater Intelligent Networks programme.
- Spill data which is reported to SEPA has already been published on Scottish Water’s website.

CSO Monitoring

Rather than permanent monitoring, which is the common approach for water companies in England, Scottish Water carried out a comprehensive Scotland-wide environmental study programme to assess and model the impacts of its assets on water quality during the 2015 to 2021 investment period costing **£40m**. These computer models can now allow Scottish Water to understand when CSOs will spill, under what rainfall conditions and the impact those spills will have on the environment.

[REDACTED: REGULATION 10(4)(e)]

Bathing Waters

Regular monitoring of bathing beaches’ water quality takes place throughout the bathing season by SEPA. The most recent classification for all bathing waters is in the table below:

Classification	2024
Excellent	38
Good	37
Sufficient	12
Poor	2
Total	89

That means 98% of our bathing waters have met the necessary sufficient or better standards.

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.

Can sewage spills be eliminated entirely?

Eliminating sewage spills entirely is not practical. It would require the replacement and upsizing of almost the entire 50,000km of our combined sewer network at considerable capital ([REDACTED: REGULATION 10(4)(e)]) and carbon cost. [REDACTED: REGULATION 10(4)(e)]

The effects of wet wipes on sewers



Scottish Water deals with around 36,000 sewer blockages a year; this comes at a cost to customers of over £7 million annually. Around 80 per cent of the blockages attended feature wipes. Wet wipes are also a major source of sewer related debris in the environment.

Biodegradable wet wipes are designed to be tough and do not degrade in the hours that it takes sewage to travel from homes to a treatment works. They will therefore still cause blockages together with the associated flooding issues. Customers should ensure that all wet wipes are binned and, in line with Scottish Water's Nature Calls campaign, that only the 3 Ps are flushed.

The Scottish Government supports Scottish Water's Nature Calls campaign which urges customers to ensure that all wet wipes are binned and only the 3 Ps are flushed.

Scottish Marine Litter Policy

In 2022 we published our Marine Litter Strategy with a focus on multiple actions targeting the most problematic types of marine litter including fishing and aquaculture gear, sewage-related debris, and plastic pellets. The strategy will drive forward our work from now until 2027 and co-ordinate the efforts of our stakeholders and partners.

This builds on previous Scottish legislation to reduce marine and terrestrial litter and improve our circular economy with legislation on plastic carrier bags, microbeads, cotton-buds, and multiple food and beverage containers.

Annex C

Previous Engagement

Sarah Boyack MSP has raised similar concerns to Chris Murray MP - she previously wrote (29 March 2022) on behalf of a constituent in relation to CSOs, suggesting action to tackle sewage pollution needs to happen more swiftly. She also suggested that SEPA should publish a map of all CSOs.

In response, the Minister for Environment and Land Reform noted that in December 2021, SEPA published its latest River Basin Management Plans which set out the steps to be taken to improve the ecological status of water bodies. The plans are supported by Scottish Water's Improving Urban Waters Routemap, also published in December 2021.

Sarah Boyack also recently submitted a PQ on the subject of CSO monitoring (S6W-26620).

Question

To ask the Scottish Government how many new overflow monitors have been installed by Scottish Water since its Improving Urban Waters Routemap was published in 2021, broken down by year.

Answer

As this is an operational matter for Scottish Water I have asked them to respond. Their reply is as follows:

I refer the member to the answers to S6W-15158 and S6F-02135 for information on Scottish Water's approach to installing CSO monitors at priority locations. As confirmed in these answers, no new event duration monitors (EDMs) were installed in 2021 or 2022.

Scottish Water's annual update to the improving urban waters routemap, published on its website at <https://readymag.website/ScottishWater/IUW/>, confirms that 230 new EDMs were installed in 2023. In addition, Scottish Water installed a further 229 sensors as part of its wastewater intelligent network (WWIN) transformation programme, of which 53 are EDMs.

In 2024 to date, Scottish Water has installed a further 633 new EDMs. Plans have also been approved for 450 new EDMs in 12 further WWIN catchments.

Cabinet Secretary for Net Zero and Energy
Rùnaire a' Chaibneit airson Cothromachadh Carboin
is Cumhachd
Gillian Martin MSP/BPA



Scottish Government
Riaghaltas na h-Alba
gov.scot

T : 0300 244 4000
E : scottish.ministers@gov.scot

Mark Roberts
[REDACTED: REGULATION 11(2)]@environmentalstandards.scot

Our Reference: 202400429547
Your Reference: ESS analytical report on sewage discharge into the aquatic environment

12 September 2024

Dear Mark,

Thank you for your email of 30 August 2024 with a copy of Environmental Standards Scotland's report on storm overflows.

I welcome the publication of the report, and note the 6 month deadline to respond to the recommendations made within. I will write to you again as soon as possible with an update on the actions the Scottish Government is taking, in partnership with Scottish Water and SEPA, to protect our water environment.

Yours sincerely,

GILLIAN MARTIN

Scottish Ministers, special advisers and the Permanent Secretary are covered by the terms of the Lobbying (Scotland) Act 2016. See www.lobbying.scot

Tha Ministearanna h-Alba, an luchd-comhairleachaidh sònraichte agus Rùnaire Maireannach fo chumhachan Achd Coiteachaidh (Alba) 2016. Faicibh www.lobbying.scot
St Andrew's House, Regent Road, Edinburgh EH1 3DG
www.gov.scot



INVESTORS IN PEOPLE™
We invest in people Silver



From: [REDACTED: REGULATION 11(2)]<[REDACTED: REGULATION 11(2)]@gov.scot>;
on behalf of; Cabinet Secretary for Net Zero and Energy <cabsecfornze@gov.scot>

Atlantic Quay, 150 Broomielaw, Glasgow, G2 8LU
www.gov.scot

INVESTORS IN PEOPLE™
We invest in people Silver



<[REDACTED: REGULATION 11(2)]@gov.scot>; Spads Admin <Spads_Admin@gov.scot>;
[REDACTED: REGULATION 11(2)]<[REDACTED: REGULATION 11(2)]@gov.scot>

Subject: CAB SEC CLEARANCE PLEASE: Sewage discharges

Dear Cab Sec and PO

The I has been in touch looking for a response to a Lib Dem release on sewage discharges. Their findings show that one in five sewage discharge points are graded as “unsatisfactory”.

Scottish Water’s latest annual return to the Water Industry Commission Scotland (WICS) shows that 776 out of 3591 sites have intermittent sewage discharges graded as “unsatisfactory”.

It marks an increase from the previous, 2021-22 annual return showing 681 intermittent sewage discharges being unsatisfactory.

Officials have confirmed the figures below are accurate and are content with the following response, as are spads however grateful for views please

Many thanks

[REDACTED: REGULATION 11(2)]

Issue: analysis by the Scottish Liberal Democrats shows that one in five sewage discharge points are graded as “unsatisfactory”. Scottish Water’s latest annual return to the Water Industry Commission Scotland (WICS) shows that 776 out of 3591 sites have intermittent sewage discharges graded as “unsatisfactory”.

It marks an increase from the previous, 2021-22 annual return showing 681 intermittent sewage discharges being unsatisfactory.

Suggested response:

Scottish Government spokesperson said: “Our waters are monitored by the independent Scottish Environment Protection Agency (SEPA). SEPA assesses 87% of waterbodies in Scotland as having ‘high’ or ‘good’ water quality, up from 82% six years ago. However, we are not complacent, seek ongoing improvement and continue to work closely with SEPA and Scottish Water to monitor and improve water quality.

“Scottish Water is taking action and is committing up to £500 million to improve water quality, increase monitoring of the highest priority waters and tackle debris and spills. This includes a commitment to install at least 1000 new monitors on the network by the end of 2024 – good progress is being made, with around 800 having already been installed by the end of March.

“We are also determined to limit the amount of rainwater entering sewers to reduce overflows and have recently published an analysis of the responses to our public consultation on water, wastewater and drainage which asked the public for their views on how we achieve this.”

Background



The Urban Waters Route Map sets out the upgrades that are being delivered to Combined Sewer Overflows. Improving Urban Waters Routemap - Scottish Water The 2023 update on progress is available at: Scottish Water (readymag.website)

[REDACTED: REGULATION 11(2)] Communications: News (Net Zero and Energy)

Senior Media Manager

Scottish Government

[REDACTED: REGULATION 11(2)]

Pronouns: She/Her

From: [REDACTED: REGULATION 11(2)] <[REDACTED: REGULATION 11(2)]@inews.co.uk>

Sent: Thursday, September 12, 2024 4:17 PM

To: [REDACTED: REGULATION 11(2)]<[REDACTED: REGULATION 11(2)]@gov.scot>

Subject: Sewage discharges - The i Paper request

Hello -

The i Paper is going to be running a story this weekend based on analysis by the Scottish Liberal Democrats which shows that one in five sewage discharge points are graded as “unsatisfactory”.

Scottish Water’s latest annual return to the Water Industry Commission Scotland (WICS) shows that 776 out of 3591 sites have intermittent sewage discharges graded as “unsatisfactory”.

It marks an increase from the previous, 2021-22 annual return showing 681 intermittent sewage discharges being unsatisfactory.

Scottish Lib Dem leader Alex Cole-Hamilton said rivers and other waterways “risk being ruined by shocking levels of sewage dumping.” He added: “Coupled with big increases in the number of sewage dumps last year, this is a tide of bad news for those who enjoy our natural environment.”

Is there any response from the Scottish Government?

My deadline is 4pm on **Friday, 13 September 2024**.

Best,

[REDACTED: REGULATION 11(2)]

[REDACTED: REGULATION 11(2)] | Scotland Correspondent | **The i Paper** | inews.co.uk | Newspaper of the Year 2024 | Contact details: [REDACTED: REGULATION 11(2)] | [REDACTED: REGULATION 11(2)]@inews.co.uk

From: [\[REDACTED: REGULATION 11\(2\)\]](#)

To: [\[REDACTED: REGULATION 11\(2\)\]](#)

Cc: [\[REDACTED: REGULATION 11\(2\)\]](#); [\[REDACTED: REGULATION 11\(2\)\]](#); [Public Affairs](#)

Subject: FW: CEC Letter

Date: 17 September 2024 14:54:37

Attachments: [image001.png](#)



Importance: High

[REDACTED: REGULATION 11(2)]

See below from [REDACTED: REGULATION 11(2)].

With everything that you've been sent today, do you have any questions remaining.

For clarity on the UID and EDM figures, we are confident that 28 High Priority UIDs is the right number. Not sure where [REDACTED: REGULATION 11(2)] 29 was from.

On EDMs, the 67 figure that [REDACTED: REGULATION 11(2)] had was for the Water or Leith. [REDACTED: REGULATION 11(2)] number of 131 EDMs is for the City of Edinburgh in totality.

Let me know, please, that you have what you need.

[REDACTED: REGULATION 11(2)]

SW Internal
Personal

From: [REDACTED: REGULATION 11(2)]<[REDACTED: REGULATION 11(2)]@SCOTTISHWATER.CO.UK>

Sent: Tuesday, September 17, 2024 1:42 PM

To: [REDACTED: REGULATION 11(2)]<[REDACTED: REGULATION 11(2)]@SCOTTISHWATER.CO.UK>

Cc: [REDACTED: REGULATION 11(2)]<[REDACTED: REGULATION 11(2)]@SCOTTISHWATER.CO.UK>

Subject: RE: CEC Letter

Importance: High

Hi [REDACTED: REGULATION 11(2)]

Please see attached spreadsheet showing H/M/L UIDs that are within City of Edinburgh Council area.

There are 27 HP UIDs on the spreadsheet. As part of our published list of 108 HP UIDs, we included the Murrayburn Study as one entry, pre-empting UID addition(s), so including that line from the 108 list gives 28 in City of Edinburgh. One likely UID came out of the Study – Curriehill Storm Tank. There is some operational maintenance improvements works going on there at the moment so it hasn't been officially added as a UID until these have completed, its pending discussion/agreement with SEPA – so should be 27 HP UIDs atm.

Within City of Edinburgh LA area, numbers come out as follows :

UIDs :

High – 27

Medium – 11

Low – 15

EDMs – 131 (see spreadsheet for list and current status of each)

As far as UID LBEs go, I don't have access to that and spend during previous investment periods.

[REDACTED: REGULATION 11(2)]
[REDACTED: REGULATION 11(2)]Ww Strategy & Regulation
Environment, Planning and Assurance

E-mail: [REDACTED: REGULATION 11(2)]@scottishwater.co.uk
Web: www.scottishwater.co.uk

Teams: [REDACTED: REGULATION 11(2)]
Mobile: [REDACTED: REGULATION 11(2)]
Scottish Water
Trusted to Serve Scotland

SW Internal
Personal

From: [REDACTED: REGULATION 11(2)]<[REDACTED: REGULATION 11(2)]@SCOTTISHWATER.CO.UK>

Sent: Tuesday, September 17, 2024 11:47 AM

To: [REDACTED: REGULATION 11(2)]x <[REDACTED: REGULATION 11(2)]@gov.scot>;
[REDACTED: REGULATION 11(2)]
<[REDACTED: REGULATION 11(2)]@SCOTTISHWATER.CO.UK>

Cc: [REDACTED: REGULATION 11(2)]<[REDACTED: REGULATION 11(2)]@SCOTTISHWATER.CO.UK>

Subject: RE: CEC Letter

Hi [REDACTED: REGULATION 11(2)]

I hope that **[REDACTED: REGULATION 11(2)]** can pick up the UID and EDM queries and get back to you on this. I'd also hope that you might use some of the information / context in my email below.

Regarding SR15 investment (I don't have anything for SR21, **[REDACTED: REGULATION 11(2)]** do you have access to Edinburgh UID LBE's). I have the attached spreadsheet.

[REDACTED: REGULATION 10(5)(f)]
[REDACTED: REGULATION 10(5)(f)].

[REDACTED: REGULATION 11(2)]
SW Internal
Personal

From: [REDACTED: REGULATION 11(2)]<[REDACTED: REGULATION 11(2)]@gov.scot>

Sent: Tuesday, September 17, 2024 11:32 AM

To: [REDACTED: REGULATION 11(2)]<[REDACTED: REGULATION 11(2)]@gov.scot>



REGULATION 11(2)]@SCOTTISHWATER.CO.UK> **Cc:**
[REDACTED: REGULATION 11(2)]<[REDACTED:
REGULATION 11(2)]@SCOTTISHWATER.CO.UK> **Subject:**
FW: CEC Letter

Hi [REDACTED: REGULATION 11(2)]

I received an OOO reply from [REDACTED: REGULATION 11(2)] and wondered if you would be best placed to pick this up when he is away?

Thanks, [REDACTED: REGULATION 11(2)]

SW Internal
Personal

From: [REDACTED: REGULATION 11(2)]<[REDACTED: REGULATION 11(2)]@gov.scot>
Sent: Tuesday, September 17, 2024 11:28 AM
To: [REDACTED: REGULATION 11(2)]@SCOTTISHWATER.CO.UK
Subject: FW: CEC Letter

Hi [REDACTED: REGULATION 11(2)]

I'm picking this up from [REDACTED: REGULATION 11(2)]. The deadline for us to draft a reply for the Cab Sec's consideration is this Thu 19 Sep.

Will you be able to provide me with the figures [REDACTED: REGULATION 11(2)] had requested by then?

Thanks,

[REDACTED: REGULATION 11(2)]

From: [REDACTED: REGULATION 11(2)]<[REDACTED: REGULATION 11(2)]@SCOTTISHWATER.CO.UK>
Sent: Thursday, September 12, 2024 10:39 AM
To: [REDACTED: REGULATION 11(2)]<[REDACTED: REGULATION 11(2)]@gov.scot>
Cc: Public Affairs <Public.Affairs@scottishwater.co.uk>; [REDACTED: REGULATION 11(2)]<[REDACTED: REGULATION 11(2)]@gov.scot>; [REDACTED: REGULATION 11(2)]<[REDACTED: REGULATION 11(2)]@SCOTTISHWATER.CO.UK>
Subject: RE: CEC Letter

[REDACTED: REGULATION 11(2)]

Looking again at the CEC letter, there is lots we could say in response.

[REDACTED: REGULATION 10(5)(f)]
[REDACTED: REGULATION 10(5)(f)]
[REDACTED: REGULATION 10(5)(f)]
[REDACTED: REGULATION 10(5)(f)]

[REDACTED: REGULATION 11(2)]

SW Internal
Personal

From: [REDACTED: REGULATION 11(2)]
Sent: Thursday, September 12, 2024 10:17 AM
To: [REDACTED: REGULATION 11(2)]<[REDACTED: REGULATION 11(2)]@SCOTTISHWATER.CO.UK>
Cc: [REDACTED: REGULATION 11(2)]<[REDACTED: REGULATION 11(2)]@gov.scot>; Public Affairs <Public.Affairs@scottishwater.co.uk>; [REDACTED: REGULATION 11(2)]@gov.scot
Subject: FW: CEC Letter

[REDACTED: REGULATION 11(2)],

Please can you look to begin to draft a response for [REDACTED: REGULATION 11(2)] on this query. Note deadline is tomorrow so you might need to prioritise what can and can't be done in that time.

[REDACTED: REGULATION 11(2)], [REDACTED: REGULATION 11(2)] please note that [REDACTED: REGULATION 11(2)] finished up for maternity leave earlier this week. [REDACTED: REGULATION 11(2)] is taking over from [REDACTED: REGULATION 11(2)].

Initial thoughts from me below in red.

[REDACTED: REGULATION 11(2)]

From: [REDACTED: REGULATION 11(2)]<[REDACTED: REGULATION 11(2)]@gov.scot>
Sent: Thursday, September 12, 2024 9:56 AM
To: [REDACTED: REGULATION 11(2)]<[REDACTED: REGULATION 11(2)]@SCOTTISHWATER.CO.UK>; [REDACTED: REGULATION 11(2)] [REDACTED: REGULATION 11(2)]<[REDACTED: REGULATION 11(2)]@SCOTTISHWATER.CO.UK>
Cc: Public Affairs <Public.Affairs@scottishwater.co.uk>; [REDACTED: REGULATION 11(2)]<[REDACTED: REGULATION 11(2)]@gov.scot>
Subject: FW: CEC Letter

****EXTERNAL MAIL**** - Think Before You Click
Hi [REDACTED: REGULATION 11(2)],

Thanks for the update on CSO monitors last week.

[REDACTED: REGULATION 10(5)(f)]
[REDACTED: REGULATION 10(5)(f)]
[REDACTED: REGULATION 10(5)(f)]

I'm thinking of a paragraph along the lines of:

"Specifically in relation to Edinburgh, Scottish Water has already invested £xm in improving the sewer system between 2015-21. In the current investment period 2021-27 Scottish Water aims to invest £ym in further upgrades to the sewer system. As you are also aware, commitments made in its Improving Urban Waters Routemap means that Scottish Water will improve 29 high priority CSOs across the city of Edinburgh as well as install z new CSO monitors to help target future investment."



Apologies for the short deadline, if you're able to offer figures by tomorrow that would be great. Otherwise, could you copy in Darren and I'll ask him to pick up in my absence(I'm on leave next week)?

Thanks!

[REDACTED:
REGULATION 11(2)]
Policy Officer Water
Policy
Scottish Government Office: [REDACTED: REGULATION 11(2)]
Mobile: [REDACTED: REGULATION 11(2)]

From: [REDACTED: REGULATION 11(2)]<[REDACTED: REGULATION 11(2)]@gov.scot>
On Behalf Of Cabinet Secretary for Net Zero and Energy
Sent: Thursday, September 5, 2024 5:06 PM
To: Central Correspondence Unit
<CentralCorrespondenceUnit@gov.scot>
Cc: Cabinet Secretary for Net Zero and Energy
<cabsecfornze@gov.scot> **Subject:** FW: CEC Letter

For MR please.

Many thanks.

Kind regards,

[REDACTED: REGULATION 11(2)] (he/him)

Assistant Private Secretary | Office of the Cabinet Secretary for Net Zero and Energy –
Gillian Martin MSP
Scottish Government | St Andrew's House | Regent Road | Edinburgh | EH1 3DG | Email:
CabSecforNZE@gov.scot

From: [REDACTED: REGULATION 11(2)] <[REDACTED: REGULATION 11(2)]@parliament.scot>
Sent: Thursday, September 5, 2024 4:33 PM
To: Cabinet Secretary for Net Zero and Energy <cabsecfornze@gov.scot>
Subject: FW: CEC Letter

From: [REDACTED: REGULATION 11(2)]<[REDACTED: REGULATION 11(2)]@edinburgh.gov.uk>
Sent: Thursday, September 5, 2024 4:19 PM
To: McAllan M (Màiri), MSP <Mairi.McAllan.MSP@Parliament.scot>
Cc: Stephen Jenkinson <Cllr.Stephen.Jenkinson@edinburgh.gov.uk>
Subject: CEC Letter

Hi Màiri,

Please find attached a letter on behalf of Stephen Jenkinson, Transport and Environment convener, in relation to an action from the City of Edinburgh Full Council.



Thanks, [REDACTED: REGULATION 11(2)]

[REDACTED: REGULATION 11(2)] Convener Support Officer – Transport & Environment | Corporate Services | City of Edinburgh Council | Email: [\[REDACTED: REGULATION 11\(2\)\]@edinburgh.gov.uk](mailto:[REDACTED: REGULATION 11(2)]@edinburgh.gov.uk)

Cabinet Secretary for Net Zero and Energy
Rùnaire a' Chaibineit airson Cothromachadh Carboin
is Cumhachd
Gillian Martin MSP/BPA



Scottish Government
Riaghaltas na h-Alba
gov.scot

T : 0300 244 4000
E : scottish.ministers@gov.scot

Stephen Jenkinson
[\[REDACTED: REGULATION 11\(2\)\]@edinburgh.gov.uk](mailto:[REDACTED: REGULATION 11(2)]@edinburgh.gov.uk)

Our Reference: 202400430742
Your Reference: CEC Letter

20 September 2024

Dear Stephen,

Thank you for your letter of 5 September 2024 regarding the water environment in Edinburgh. I am replying as the Acting Cabinet Secretary for Net Zero and Energy.

Scotland's rivers, lochs and coastal waters are world renowned and the Scottish Environment Protection Agency (SEPA) classifies 66% in overall good ecological condition. For water quality alone, SEPA classifies 86.5% of our water environment as having 'good' water quality and last year 98% of Scotland's bathing waters passed stringent environmental standards. Scotland's River Basin Management Plans (RBMP) have measures in place to achieve 92% 'good' water quality by 2027.

However, we are never complacent. Indeed, £880 million has already been invested between 2010- 2021 to meet environmental quality drivers and activities under Scottish Water's Improving Urban Waters Routemap commits up to a further £500 million during the regulatory period 2021-27. Scottish Water is committed to protecting Scotland's urban waters and will continue to work in partnership with the Scottish Government, SEPA, local authorities, customers, and others to this end.

The Scottish Government takes the issue of pollution incidents very seriously and recognises that any sewage pollution is unsightly and can have negative implications for public health and the environment. However, it is not accurate to characterise all spills from Combined Sewer Overflows (CSOs) as sewage spills and it is not the case that spills will always cause pollution incidents. CSOs are an integral part of a sewage network, designed to spill highly-diluted wastewater to the environment to avoid overloading the sewer system and causing it to back up and flood homes and businesses during periods of intense rainfall. What is normally spilled is wastewater which has been highly diluted by rainwater - the toilet sewage element is typically less than 1% of the total volume. CSOs must be licensed by the independent regulator, SEPA, and any unsatisfactory discharges will be identified so that



Scottish Water can invest to reduce the environmental impact.

As you are also aware, Scottish Water has committed to install 1,000 new monitors by the end of 2024 as highlighted in its Improving Urban Waters Routemap. These additional monitors support Scottish Water's previous environmental studies, undertaken during the 2015 to 2021 investment period, to assess the impact of its assets on water quality. While increased monitoring will not change the overall classification of our water environment, based as it is on SEPA's water monitoring methodology, monitoring can help identify and improve network issues and performance. Through comprehensive asset studies Scottish Water is identifying the right locations for increased monitoring to maximise the benefit to our environment and return on the investment of public money.

Specifically in relation to Edinburgh, Scottish Water has already invested £21 million in improving the wastewater system between 2015-21. As you are also aware, commitments made in its Improving Urban Waters Routemap means that Scottish Water will improve 28 high priority CSOs across the city of Edinburgh as well as install 131 new CSO monitors to help target future investment.

Whilst continuing to invest in sewage networks, it will also be necessary to ensure that rainwater is not drained to sewer. Scottish Water's current [Surface Water Policy](#) requires alternative means for managing surface water for new developments out with the combined sewer network. Furthermore, its Improving Urban Waters Routemap recognises the steps it needs to take in the face of increasingly extreme weather resulting from climate change and the impact that this has on an ageing sewer system.

As a member of the Edinburgh and Lothians Strategic Drainage Partnership, you will be aware of the need to continue working in partnership with Scottish Water to support the development of surface water management plans, deliver blue-green infrastructure and tackle urban creep to limit the impact of climate change on the sewerage system.

Finally, I can also confirm that there are no plans to introduce a new Act in relation to sewage spills. Scottish Water is already required to improve the level of compliance with environmental licences, and it must invest to meet River Basin Management Plan (RBMP) objectives. Indeed, as you are aware, the RBMP already has measures in place to achieve 92% 'good' water quality by 2027.

Yours sincerely,

GILLIAN MARTIN

From: [REDACTED: REGULATION 11(2)]<[REDACTED: REGULATION 11(2)]@gov.scot>; on behalf of; Cabinet Secretary for Net Zero and Energy <cabsecfornze@gov.scot>

Sent: Mon 23/09/2024 13:20

To: [REDACTED: REGULATION 11(2)]<[REDACTED: REGULATION 11(2)]@gov.scot>; Cabinet Secretary for Net Zero and Energy <cabsecfornze@gov.scot>

Cc: Communications Net Zero, Energy and Rural Affairs <CommunicationsNetZero&RuralAffairs@gov.scot>; [REDACTED: REGULATION 11(2)]<[REDACTED: REGULATION 11(2)]@gov.scot>; [REDACTED: REGULATION 11(2)] <[REDACTED: REGULATION 11(2)]@gov.scot>; Catherine Williams <[REDACTED: REGULATION 11(2)]@gov.scot>; Anne Aitken <[REDACTED: REGULATION 11(2)]@gov.scot>; [REDACTED: REGULATION 11(2)] <[REDACTED: REGULATION 11(2)]@gov.scot>; [REDACTED: REGULATION 11(2)] <[REDACTED: REGULATION 11(2)]@gov.scot>

Comms/policy propose following response.
SpAds have commented
Grateful if you could let us know if the Cab Sec is content for us to issue

Thanks
[REDACTED: REGULATION 11(2)]

A Scottish Government spokesperson said:

“98% of Scotland’s bathing waters currently achieve the bathing water quality standards with 85% being rated “good” or “excellent”.

“Bathing water quality can be impacted by a range of bacterial sources following heavy rain and not just sewage, including agricultural land and urban runoff, as well as dog and seagull faeces. We encourage everyone to make use of SEPA’s resources and information to help make an informed decision about where and when to bathe.

“Scottish Water is taking action and is committing up to £500 million to improve water quality, increase monitoring of the highest priority waters and tackle debris and spills. This includes a commitment to install at least 1000 new monitors on the network by the end of 2024.

“We are also determined to limit the amount of rainwater entering sewers to reduce overflows and have recently published an analysis of the responses to our public consultation on water, wastewater and drainage which asked the public for their views on how we achieve this.”

Background

The Urban Waters Route Map sets out the upgrades that are being delivered to Combined Sewer Overflows. Improving Urban Waters Routemap - Scottish Water The 2023 update on progress is available at: [Scottish Water \(readymag.website\)](https://www.scottishwater.co.uk/readymag)

Query:

According to analysis of Sepa monitoring conducted by The Ferret (see attached), 53 of Scotland's 89 designated bathing waters have breached safe levels for either E.Coli, Intestinal Enterococci (IE), or both, at least once when tested this summer.

This was an increase on last year when 50 of the bathing waters returned one sample over the safe limit.

Our analysis looked at how many bathing waters had returned a sample where either levels of E.Coli exceeded 500 cfu/ml or levels of IE exceeded 185 cfu/ml. Above these levels the bathing waters are considered to be poor quality.

Sewage often enters the waters during heavy rain which causes sewers to overflow or washes animal faeces from farms and land into the water.

The highest levels of sewage pollution were found in samples at Ayr's South Beach, Fisherrow Sands in Musselburgh and at Irvine beach. Each had one sample which showed faecal bacteria at more than twenty times the safe level.

Meanwhile, waters at Lower Largo beach in Fife contained elevated levels of sewage on seven occasions it was tested this summer, more than any other bathing water.

Critics said they were "extremely concerned" that Scotland's bathing waters risk being ruined by "shocking levels of sewage".

The Scottish Greens said Scottish Water needed to "double down on investments to modernise our Victorian sewage system" and said we couldn't ignore the impact livestock farming has on water pollution.

"Farming subsidies must trigger action to protect waterways with tougher regulation and incentives. Restoring riverbank habitats such as woodland can help protect our burns and rivers from livestock pollution which is finding its way into rivers and beaches."

The Scottish Lib Dems also called for "vital updates" to our sewage network and a clamp down on discharges.

They said they had published plans for a Clean Water Act that could see "a new blue flag system for Scotland's rivers, as well as vital updates to our sewage network and a clamp down on discharges". "Ministers need to stop their excuses and toughen up on sewage dumping across Scotland," they claimed.

Can the Scottish Government provide a response to the points in this story and also expand on what it is doing to ensure safer bathing waters?

[REDACTED: REGULATION 11(2)] | Communications: News (Net Zero & Rural Affairs)

Scottish Government, St Andrew's House

e: [\[REDACTED: REGULATION 11\(2\)\]@gov.scot](mailto:[REDACTED: REGULATION 11(2)]@gov.scot)

m: [REDACTED: REGULATION 11(2)]

From: [REDACTED: REGULATION 11(2)] on behalf of Cabinet Secretary for Net Zero and Energy

To: [REDACTED: REGULATION 11(2)]; Cabinet Secretary for Net Zero and Energy

Cc: [REDACTED: REGULATION 11(2)]; [REDACTED: REGULATION 11(2)]; Communications Net Zero, Energy and Rural Affairs; [REDACTED: REGULATION 11(2)]; [REDACTED: REGULATION 11(2)]; [REDACTED: REGULATION 11(2)]; [REDACTED: REGULATION 11(2)]; [REDACTED: REGULATION 11(2)]; [REDACTED: REGULATION 11(2)]; [REDACTED: REGULATION 11(2)]; [REDACTED: REGULATION 11(2)]; Catherine Williams; Anne Aitken; Communications Net Zero, Energy and Rural Affairs; [REDACTED: REGULATION 11(2)]; Spads Admin; Ross Ingebrigtsen

Subject: RE: Cab Sec clearance please: Scotsman query on Sewage in water at Portobello beach

Date: 11 October 2024 12:21:13

Attachments: image001.jpg image002.jpg image003.png image004.png

Thanks [REDACTED: REGULATION 11(2)] – given this is stuff we've issued previously, happy for this to go on official clearance.

Take care

[REDACTED: REGULATION 11(2)] (she/her)



Private Secretary to the Cabinet Secretary for Net Zero and Energy – Gillian Martin MSP Scottish Government | St Andrews House Edinburgh EH1 3DG | [REDACTED: REGULATION 11(2)] CabSecforNZE@gov.scot

From: [REDACTED: REGULATION 11(2)]<[REDACTED: REGULATION 11(2)]@gov.scot>

Sent: Friday, October 11, 2024 11:50 AM

To: Cabinet Secretary for Net Zero and Energy <cabsecfornze@gov.scot>

Cc: [REDACTED: REGULATION 11(2)]<[REDACTED: REGULATION 11(2)]@gov.scot>;

[REDACTED: REGULATION 11(2)]<[REDACTED: REGULATION 11(2)]@gov.scot>;

Communications Net Zero, Energy and Rural Affairs

<CommunicationsNetZero&RuralAffairs@gov.scot>; [REDACTED: REGULATION

11(2)]<[REDACTED: REGULATION 11(2)]@gov.scot>; [REDACTED: REGULATION

11(2)]<[REDACTED: REGULATION 11(2)]@gov.scot>; [REDACTED: REGULATION

11(2)] <[REDACTED: REGULATION 11(2)]@gov.scot>; [REDACTED: REGULATION

11(2)]<[REDACTED: REGULATION 11(2)]@gov.scot>; [REDACTED: REGULATION

11(2)]<[REDACTED: REGULATION 11(2)]@gov.scot>; [REDACTED: REGULATION

11(2)]<[REDACTED: REGULATION 11(2)]@gov.scot>; [REDACTED: REGULATION

11(2)]<[REDACTED: REGULATION 11(2)]@gov.scot>; [REDACTED: REGULATION

11(2)]<[REDACTED: REGULATION 11(2)]@gov.scot>; Catherine Williams

<[REDACTED: REGULATION 11(2)]@gov.scot>; Anne Aitken <[REDACTED:

REGULATION 11(2)]@gov.scot>; Communications Net Zero, Energy and Rural Affairs

<CommunicationsNetZero&RuralAffairs@gov.scot>; [REDACTED: REGULATION

11(2)]<[REDACTED: REGULATION 11(2)]@gov.scot>; Spads Admin

<Spads_Admin@gov.scot>; Ross Ingebrigtsen <[REDACTED: REGULATION

11(2)]@gov.scot>

Subject: RE: Cab Sec clearance please: Scotsman query on Sewage in water at Portobello beach

Apologies – now copying in SpAds.

[REDACTED: REGULATION 11(2)](she/her)

Media Manager | Net Zero, Energy and Rural Scottish

Government | [REDACTED: REGULATION 11(2)]

[@ScotGovNetZero](https://twitter.com/ScotGovNetZero) | [@ScotGovRural](https://twitter.com/ScotGovRural) | gov.scot | [@scotgov](https://twitter.com/scotgov)

From: [REDACTED: REGULATION 11(2)]<[REDACTED: REGULATION 11(2)]@gov.scot>

Sent: Friday, October 11, 2024 11:48 AM

To: Cabinet Secretary for Net Zero and Energy <cabsecfornze@gov.scot>

Cc: [REDACTED: REGULATION 11(2)]<[REDACTED: REGULATION 11(2)]@gov.scot>;

[REDACTED: REGULATION 11(2)] <[REDACTED: REGULATION 11(2)]@gov.scot>;

Communications Net Zero, Energy and Rural Affairs

<CommunicationsNetZero&RuralAffairs@gov.scot>; [REDACTED: REGULATION

11(2)]<[REDACTED: REGULATION 11(2)]@gov.scot>; [REDACTED: REGULATION

11(2)]<[REDACTED: REGULATION 11(2)]@gov.scot>; [REDACTED: REGULATION

11(2)] [REDACTED: REGULATION 11(2)]<[REDACTED: REGULATION

11(2)]@gov.scot>; [REDACTED: REGULATION 11(2)]<[REDACTED: REGULATION

11(2)]@gov.scot>; [REDACTED: REGULATION 11(2)]<[REDACTED: REGULATION

11(2)]@gov.scot>; [REDACTED: REGULATION 11(2)]<[REDACTED: REGULATION

11(2)]@gov.scot>; [REDACTED: REGULATION 11(2)]<[REDACTED: REGULATION

11(2)]@gov.scot>; [REDACTED: REGULATION 11(2)]<[REDACTED: REGULATION

11(2)]@gov.scot>; Catherine Williams <[REDACTED: REGULATION 11(2)]@gov.scot>;

Anne Aitken <[REDACTED: REGULATION 11(2)]@gov.scot>; Communications Net

Zero, Energy and Rural Affairs

<CommunicationsNetZero&RuralAffairs@gov.scot>; [REDACTED: REGULATION 11(2)]<[REDACTED: REGULATION 11(2)]@gov.scot>

Subject: Cab Sec clearance please: Scotsman query on Sewage in water at Portobello beach

PO/Cabinet Secretary for Net Zero and Energy

Good afternoon,

We've received a query from the Scotsman on sewage in the water at Portobello beach, they have some comments from those who have raised concerns, specifically Chris Murray MP (listed below). We suggest issuing the below, which are our standard lines on this issue. Copying SpAds for awareness.

Policy and comms are content to issue the below. Can you please let me know if Ms Martin is content?

Best, [REDACTED: REGULATION 11(2)]

Suggested response

A Scottish Government spokesperson said:

"98% of Scotland's bathing waters currently achieve the bathing water quality standards with 85% being rated "good" or "excellent".

"Bathing water quality can be impacted by a range of bacterial sources following heavy rain and not just sewage, including agricultural land and urban runoff, as well as dog and seagull faeces. We encourage everyone to make use of SEPA's resources and information to help make an informed decision about where and when to bathe.

"Scottish Water is taking action and is committing up to £500 million to improve water quality, increase monitoring of the highest priority waters and tackle debris and spills. This includes a commitment to install at least 1000 new monitors on the network by the end of 2024.

"We are also determined to limit the amount of rainwater entering sewers to reduce overflows and have recently published an analysis of the responses to our public consultation on water, wastewater and drainage which asked the public for their views on how we achieve this."

Background

The Urban Waters Route Map sets out the upgrades that are being delivered to Combined Sewer Overflows. Improving Urban Waters Routemap - Scottish Water The 2023 update on progress is available at: [Scottish Water \(readymag.website\)](https://www.scottishwater.co.uk/ready-mag)

QUERY

Hello,

I've spoken to a few local groups including the Porty Water Collective, Surfers Against



Sewage and Chris Murray MP, who have all raised concerns about sewage in the water at Portobello beach.

They say the water isn't safe, and that it should be on the priority list for Scottish Water, who I have also approached.

Please find their key comments below. [REDACTED:
REGULATION 11(2)]
[REDACTED: REGULATION 11(2)], Porty Water collective

"Our testing shows that 81 per cent of our tests show e coli and faecal matter above SEPA safe limits and this is at the same time every week. Sometimes we've not had rain for days, sometimes it's after a big storm, it's pretty regular we're getting those tests, regardless of conditions.

"Scottish Water will say they only release sewage in exceptional circumstances but our tests are suggesting that's not the case, it's all the time.

They as good as shut down the beach for a few days in July because of something, but they never said what it was, the only statement they came out with was it was due to dogs and seagulls, which seems ridiculous. It's beyond the pale.

Our frustration is borne out of this total lack of interest in what is happening here. There are hundreds if not thousands of people in the sea each week, it's on the tourist trail, and people are getting ill and animals are getting ill from being in the water."

[REDACTED: REGULATION 11(2)], Surfers Against Sewage

"We are calling for a significant investment from a Government level, through Scottish Water to significantly reduce or stop sewage pollution by 2030.

"To hear the line that there is so much great water quality in Scotland is pleasing, but that doesn't make up for the Porty Water Collective results, outside of bathing season.

"We need to bear in mind the risk to the public here, which is very real.

"What about the actual attitude that we are going to release raw sewage into our fresh water and sea water in 2024? Which is essentially what they're doing with their actions."

Chris Murray, local Scottish Labour MP for Edinburgh East and Musselburgh, said:

"That there's sewage in the water isn't just unacceptable - it's disgusting. And we shouldn't have to tolerate this from the Scottish Government. I'm fed up of seeing wet wipes that have been flushed down people's toilets on the beach after it rains.

"The Scottish Government is out of ideas, and uninterested in the hard choices we need to solve this problem. Scottish Water is publicly owned - they don't have the excuse of blaming private water companies. Even the water regulator in Scotland has been beset by scandal. Portobello deserves better than this."

[REDACTED: REGULATION 11(2)](she/her)

Media Manager | Net Zero, Energy and Rural Scottish Government | [REDACTED:
REGULATION 11(2)]



From: [REDACTED: REGULATION 11(2)] on behalf of Cabinet Secretary for Net Zero and Energy

To: [REDACTED: REGULATION 11(2)]; Cabinet Secretary for Net Zero and Energy

Cc: Ross Ingebrigtsen; Spads Admin; [REDACTED: REGULATION 11(2)]; [REDACTED: REGULATION 11(2)]; [REDACTED: REGULATION 11(2)]; [REDACTED: REGULATION 11(2)]; [REDACTED: REGULATION 11(2)]; Catherine Williams; [REDACTED: REGULATION 11(2)]; Anne Aitken; [REDACTED: REGULATION 11(2)]; Communications Net Zero, Energy and Rural Affairs

Subject: RE: For clearance: Media query (Record) - Scottish Water CSOs

Date: 14 October 2024 17:19:28

Attachments: image001.jpg image002.jpg image003.png image004.png

Thanks [REDACTED: REGULATION 11(2)] – Cab Sec is content.

[REDACTED: REGULATION 11(2)](she/her)

Private Secretary to the Cabinet Secretary for Net Zero and Energy – Gillian Martin MSP Scottish Government | St Andrews House Edinburgh EH1 3DG | [REDACTED: REGULATION 11(2)] | CabSecforNZE@gov.scot

From: [REDACTED: REGULATION 11(2)] <[REDACTED: REGULATION 11(2)]@gov.scot>

Sent: Monday, October 14, 2024 4:49 PM

To: Cabinet Secretary for Net Zero and Energy <cabsecfornze@gov.scot>

Cc: Ross Ingebrigtsen <[REDACTED: REGULATION 11(2)]@gov.scot>; Spads Admin <Spads_Admin@gov.scot>; [REDACTED: REGULATION 11(2)] <[REDACTED: REGULATION 11(2)]@gov.scot>; [REDACTED: REGULATION 11(2)] <[REDACTED: REGULATION 11(2)]@gov.scot>; [REDACTED: REGULATION 11(2)] <[REDACTED: REGULATION 11(2)]@gov.scot>; [REDACTED: REGULATION 11(2)] <[REDACTED: REGULATION 11(2)]@gov.scot>; [REDACTED: REGULATION 11(2)] <[REDACTED: REGULATION 11(2)]@gov.scot>; Catherine Williams <[REDACTED: REGULATION 11(2)]@gov.scot>; [REDACTED: REGULATION 11(2)] <[REDACTED: REGULATION 11(2)]@gov.scot>; Anne Aitken <[REDACTED: REGULATION 11(2)]@gov.scot>; [REDACTED: REGULATION 11(2)] <[REDACTED: REGULATION 11(2)]@gov.scot>; Communications Net Zero, Energy and Rural Affairs <CommunicationsNetZero&RuralAffairs@gov.scot>

Subject: For clearance: Media query (Record) - Scottish Water CSOs

Hi PO

[REDACTED: REGULATION 10(4)(e)]

Query from the Record requesting a response to NR issued by Lib Dems - information released by SW under FOI shows that they have identified 400 'new' CSOs as a result of a data cleansing exercise

Have put to SW themselves and will share lines when I receive them

Lib Dem ask of SG here is the standard one though – Clean Water act with monitoring of all CSOs, upgrade of Victorian infrastructure etc

Comms/policy therefore suggest reissuing standard response here as previously cleared – with sole exception of number of CSOs installed by SW updated as highlighted

Grateful if you could let us know if the Cab Sec is content for us to issue

Thanks

[REDACTED:
REGULATION
11(2)]

A Scottish Government spokesperson said:

“Our waters are monitored by the independent Scottish Environment Protection Agency (SEPA). SEPA assesses 87% of waterbodies in Scotland as having ‘high’ or ‘good’ water quality, up from 82% six years ago. However, we are not complacent, seek ongoing improvement and continue to work closely with SEPA and Scottish Water to monitor and improve water quality.

“Overflows from sewers are wastewater which has been highly diluted by rainwater, and which normally consists of less than 1% toilet waste. To suggest otherwise is a misrepresentation.

“Scottish Water is taking action and is committing up to £500m to improve water quality, increase monitoring of the highest priority waters and tackle debris and spills. This includes a commitment to install at least 1000 new monitors on the network by the end of 2024 – good progress is being made, with more than 900 installed by the end of August.

“We are also determined to limit the amount of rainwater entering sewers to reduce overflows and have recently published an analysis of the responses to our public consultation on water, wastewater and drainage which asked the public for their views on how we achieve this.”

Query

As mentioned on the phone, I'm just looking for a Scottish Government response to the below release from the Lib Dems please - I'd be keen to get this by close of play.

Thanks,

[REDACTED: REGULATION 11(2)]

--

Scottish Water discovers additional 400 sewage overflows

Responding to new figures showing Scottish Water has identified an additional 400 sewage overflow points on top of the 3,674 which were previously reported, Scottish Liberal Democrat leader Alex Cole-Hamilton called on SNP ministers to start taking the crisis of sewage dumping seriously.

New figures from a Scottish Liberal Democrat Freedom of Information request confirmed that the new number of overflows was 4,083 as of the 2024 Scottish Water Annual Report, this is an increase from the 3,674 overflows which Scottish Water reported to the Water Industry Commission for Scotland in the 22/23 annual report.



In its report into sewage dumping in Scotland, Environmental Standards Scotland noted while discussing the 3,674 figure that "*Scottish Water is working through a data cleansing exercise to update its asset inventory and expects this number to increase.*"

As a result of this increase in the total number of overflows, the percentage of overflows being monitored has decreased to just 7%, compared to 100% in England.

Scottish Liberal Democrats have announced plans for a Clean Water Act which would

- see: Scotland's Victorian sewage network updated;
- Every sewage dump monitored and published with binding targets for their reduction;
- A blue flag system for Scotland's rivers;
- A complete ban on the release of sewage in protected areas such as bathing waters.

Alex Cole-Hamilton said:

"The scandal of sewage dumping in our rivers, lochs and beaches seems to be ever growing in Scotland. We've now learned that Scottish Water have discovered an additional 400 sewage overflows across Scotland.

"Not only is the government owned water company leaving the vast majority of sewage dumping sites unmonitored, it does not seem to even know how many there are.

"SNP Ministers need to start taking the crisis of sewage dumping seriously and get tough with Scottish Water.

"To turn the tide on this crisis, Scottish Liberal Democrats have published plans for a Clean Water Act that would see a new blue flag system for Scotland's rivers, as well as vital updates to our sewage network and a clamp down on discharges."

ENDS

Notes to editors:

In a response to a Scottish Liberal Democrat Freedom of Information request Scottish Water mentioned that "*The updated AR24 figure for number of intermittent discharges (overflows) is 4,083. These can be used to calculate percentages based on published data if required.*"

[REDACTED: REGULATION 11(2)] Communications: News (Net Zero & Rural Affairs)
Scottish Government, St Andrew's House
e: [\[REDACTED: REGULATION 11\(2\)\]@gov.scot](mailto:[REDACTED: REGULATION 11(2)]@gov.scot)
m: [REDACTED: REGULATION 11(2)]

From: [REDACTED: REGULATION 11(2)]<[REDACTED: REGULATION 11(2)]@gov.scot>
Sent: Wed 16/10/2024 14:47
To: [REDACTED: REGULATION 11(2)]<[REDACTED: REGULATION 11(2)]@gov.scot>;
[REDACTED: REGULATION 11(2)]<[REDACTED: REGULATION 11(2)]@gov.scot>;
[REDACTED: REGULATION 11(2)]<[REDACTED: REGULATION 11(2)]@gov.scot>
Cc: [REDACTED: REGULATION 11(2)]<[REDACTED: REGULATION 11(2)]@gov.scot>
Subject: RE: POLICY VIEWS PLEASE: Edinburgh sewage releases - The i Paper

Thanks [REDACTED: REGULATION 11(2)], happy to go with whatever you think best.



[REDACTED: REGULATION 10(4)(e)][REDACTED: REGULATION 10(4)(e)][REDACTED: REGULATION 10(4)(e)]

Thanks again,

[REDACTED: REGULATION 11(2)]

From: [REDACTED: REGULATION 11(2)]<[REDACTED: REGULATION 11(2)]@gov.scot>
Sent: Wednesday, October 16, 2024 2:12 PM
To: [REDACTED: REGULATION 11(2)]<[REDACTED: REGULATION 11(2)]@gov.scot>;
[REDACTED: REGULATION 11(2)]<[REDACTED: REGULATION 11(2)]@gov.scot>;
[REDACTED: REGULATION 11(2)]<[REDACTED: REGULATION 11(2)]@gov.scot>
Cc: [REDACTED: REGULATION 11(2)]<[REDACTED: REGULATION 11(2)]@gov.scot>
Subject: RE: POLICY VIEWS PLEASE: Edinburgh sewage releases - The i Paper

Hi [REDACTED: REGULATION 11(2)]

I'd be inclined to keep our lines as I've suggested. The overflow data is published. Even more will be published in Dec 2024 and there will be a move to near real time publication.

[REDACTED: REGULATION 10(4)(e)]

Thanks,

[REDACTED: REGULATION 11(2)]

From: [REDACTED: REGULATION 11(2)]<[REDACTED: REGULATION 11(2)]@gov.scot>
Sent: Wednesday, October 16, 2024 2:00 PM
To: [REDACTED: REGULATION 11(2)]<[REDACTED: REGULATION 11(2)]@gov.scot>;
[REDACTED: REGULATION 11(2)] <[REDACTED: REGULATION 11(2)]@gov.scot>;
[REDACTED: REGULATION 11(2)]<[REDACTED: REGULATION 11(2)]@gov.scot>
Cc: [REDACTED: REGULATION 11(2)]<[REDACTED: REGULATION 11(2)]@gov.scot>
Subject: RE: POLICY VIEWS PLEASE: Edinburgh sewage releases - The i Paper

From: [REDACTED: REGULATION 11(2)]<[REDACTED: REGULATION 11(2)]@gov.scot>
Sent: Wednesday, October 16, 2024 1:57 PM
To: [REDACTED: REGULATION 11(2)]<[REDACTED: REGULATION 11(2)]@gov.scot>;
[REDACTED: REGULATION 11(2)]<[REDACTED: REGULATION 11(2)]@gov.scot>;
[REDACTED: REGULATION 11(2)]<[REDACTED: REGULATION 11(2)]@gov.scot>
Subject: RE: POLICY VIEWS PLEASE: Edinburgh sewage releases - The i Paper

[REDACTED: REGULATION 10(4)(e)] [REDACTED: REGULATION 11(2)][REDACTED: REGULATION 10(4)(e)][REDACTED: REGULATION 11(2)][REDACTED: REGULATION 10(4)(e)]

Thanks,

[REDACTED: REGULATION 11(2)]

From: [REDACTED: REGULATION 11(2)]<[REDACTED: REGULATION 11(2)]@gov.scot>
Sent: Wednesday, October 16, 2024 1:46 PM
To: [REDACTED: REGULATION 11(2)]<[REDACTED: REGULATION 11(2)]@gov.scot>;



[REDACTED: REGULATION 11(2)]<[REDACTED: REGULATION 11(2)]@gov.scot>
Subject: RE: POLICY VIEWS PLEASE: Edinburgh sewage releases - The i Paper

[REDACTED: REGULATION 10(4)(e)][REDACTED: REGULATION 11(2)] [REDACTED:
REGULATION 10(4)(e)]

[REDACTED: REGULATION 10(4)(e)]

[REDACTED: REGULATION 10(4)(e)]

[REDACTED: REGULATION 10(4)(e)]

Thanks,

[REDACTED: REGULATION 11(2)]

From: [REDACTED: REGULATION 11(2)]<[REDACTED: REGULATION 11(2)]@gov.scot>

Sent: Wednesday, October 16, 2024 1:31 PM

To: [REDACTED: REGULATION 11(2)]<[REDACTED: REGULATION 11(2)]@gov.scot>

Cc: [REDACTED: REGULATION 11(2)]<[REDACTED: REGULATION 11(2)]@gov.scot>

Subject: RE: POLICY VIEWS PLEASE: Edinburgh sewage releases - The i Paper

Thanks, I'll go back to them with these updated lines and add a link to the RBMP.

[REDACTED: REGULATION 11(2)] | Water Environment Policy Manager
Water Environment Team | Environmental Quality and Resilience Division | Environment and
Forestry Directorate | Scottish Government
Email: [REDACTED: REGULATION 11(2)]@gov.scot



From: [REDACTED: REGULATION 11(2)]<[REDACTED: REGULATION 11(2)]@gov.scot>

Sent: Wednesday, October 16, 2024 1:27 PM

To: [REDACTED: REGULATION 11(2)]<[REDACTED: REGULATION 11(2)]@gov.scot>

Cc: [REDACTED: REGULATION 11(2)]<[REDACTED: REGULATION 11(2)]@gov.scot>

Subject: RE: POLICY VIEWS PLEASE: Edinburgh sewage releases - The i Paper

Hi [REDACTED: REGULATION 11(2)],

Thanks for picking this up. [REDACTED: REGULATION 10(4)(e)]

Only other suggestion is to add a link to the RMBP info in the background.

[REDACTED: REGULATION 10(4)(e)]

Thanks,

[REDACTED: REGULATION 11(2)]

From: [REDACTED: REGULATION 11(2)]<[REDACTED: REGULATION 11(2)]@gov.scot>

Sent: Wednesday, October 16, 2024 1:15 PM

To: [REDACTED: REGULATION 11(2)]<[REDACTED: REGULATION 11(2)]@gov.scot>

Cc: [REDACTED: REGULATION 11(2)]<[REDACTED: REGULATION 11(2)]@gov.scot>

Subject: FW: POLICY VIEWS PLEASE: Edinburgh sewage releases - The i Paper

Importance: High



Hi [REDACTED: REGULATION 11(2)]

This is really about the water quality of rivers, which are not designated bathing waters, being monitored as if they were when nobody or very few people bath at these locations. [REDACTED: REGULATION 10(4)(e)]

86.5% of Scotland's entire water environment is assessed by SEPA as having a 'high' or 'good' classification for water quality, a continued improvement from 82% in 2014.

Scotland's River Basin Management Plan sets out objectives and actions to improve water quality to 92% of the water environment in good condition by 2027.

[REDACTED: REGULATION 10(4)(e)][REDACTED: REGULATION 10(4)(e)]

"Scottish Water is taking action and is committing up to £500 million to improve water quality, increase monitoring of the highest priority waters and tackle debris and spills. This includes a commitment to install at least 1000 new monitors on the network by the end of 2024.

"We are also determined to limit the amount of rainwater entering sewers to reduce overflows and have recently published an analysis of the responses to our public consultation on water, wastewater and drainage which asked the public for their views on how we achieve this."

Background

Rivers and other open water locations that are not designated as bathing waters are managed for the purpose of protecting fish and wildlife.

The Urban Waters Route Map sets out the upgrades that are being delivered to Combined Sewer Overflows. Improving Urban Waters Routemap - Scottish Water The 2023 update on progress is available at: Scottish Water (readymag.website)

[REDACTED: REGULATION 11(2)] Water Environment Policy Manager
Water Environment Team | Environmental Quality and Resilience Division | Environment and Forestry Directorate | Scottish Government
Email: [REDACTED: REGULATION 11(2)]@gov.scot

From: [REDACTED: REGULATION 11(2)]<[REDACTED: REGULATION 11(2)]@gov.scot>

Sent: Wednesday, October 16, 2024 12:26 PM

To: [REDACTED: REGULATION 11(2)]<[REDACTED: REGULATION 11(2)]@gov.scot>;

[REDACTED: REGULATION 11(2)]<[REDACTED: REGULATION 11(2)]@gov.scot>;

[REDACTED: REGULATION 11(2)]<[REDACTED: REGULATION 11(2)]@gov.scot>;

[REDACTED: REGULATION 11(2)]<[REDACTED: REGULATION 11(2)]@gov.scot>;

[REDACTED: REGULATION 11(2)]<[REDACTED: REGULATION 11(2)]@gov.scot>;

[REDACTED: REGULATION 11(2)]<[REDACTED: REGULATION 11(2)]@gov.scot>;

[REDACTED: REGULATION 11(2)] [REDACTED: REGULATION 11(2)] <[REDACTED:

REGULATION 11(2)]@gov.scot>; [REDACTED: REGULATION 11(2)]<[REDACTED:

REGULATION 11(2)]@gov.scot>; Catherine Williams <[REDACTED: REGULATION

11(2)]@gov.scot>; Anne Aitken <[REDACTED: REGULATION 11(2)]@gov.scot>;

[REDACTED: REGULATION 11(2)]<[REDACTED: REGULATION 11(2)]@gov.scot>

Cc: [REDACTED: REGULATION 11(2)]<[REDACTED: REGULATION 11(2)]@gov.scot>;

Communications Net Zero, Energy and Rural Affairs

<CommunicationsNetZero&RuralAffairs@gov.scot>; [REDACTED: REGULATION

11(2)]<[REDACTED: REGULATION 11(2)]@gov.scot>

Subject: POLICY VIEWS PLEASE: Edinburgh sewage releases - The i Paper



Hi all,

We've received a query from the I Paper on frustration that SEPA and Environmental Standards Scotland (ESS) have rejected calls to carry out bacterial testing in the Water of Leith basins, River Almond and Figgate Burn basins in Edinburgh.

SOS Leith is calling on the Scottish Government to legislate so SEPA is mandated to test water if there is significant local concern, not just bathing waters. "People live along the river. So to say, 'Don't worry about living next to sewage, because you're not drinking or bathing in it', is simply not good enough."

Grateful for policy views in response to these calls and concerns raised, by 14:00 please. We issued the below lines last week on Portobello and have listed as a starter.

Best,
[REDACTED: REGULATION 11(2)]

Previous lines on sewage in bathing water

A Scottish Government spokesperson said:

"98% of Scotland's bathing waters currently achieve the bathing water quality standards with 85% being rated "good" or "excellent".

"Bathing water quality can be impacted by a range of bacterial sources following heavy rain and not just sewage, including agricultural land and urban runoff, as well as dog and seagull faeces. We encourage everyone to make use of SEPA's resources and information to help make an informed decision about where and when to bathe.

"Scottish Water is taking action and is committing up to £500 million to improve water quality, increase monitoring of the highest priority waters and tackle debris and spills. This includes a commitment to install at least 1000 new monitors on the network by the end of 2024.

"We are also determined to limit the amount of rainwater entering sewers to reduce overflows and have recently published an analysis of the responses to our public consultation on water, wastewater and drainage which asked the public for their views on how we achieve this."

Background

The Urban Waters Route Map sets out the upgrades that are being delivered to Combined Sewer Overflows. Improving Urban Waters Routemap - Scottish Water The 2023 update on progress is available at: [Scottish Water \(readymag.website\)](https://www.scottishwater.co.uk/readymag)

QUERY

Hello –

The i Paper is going to be running a story on frustration that SEPA and Environmental Standards Scotland (ESS) have rejected calls to carry out bacterial testing in the Water of Leith basins, River Almond and Figgate Burn basins in Edinburgh, amid concern about the potential impact of combined sewage overflow (CSO) releases.

[REDACTED: REGULATION 11(2)], of the SOS Leith group, told The i Paper that councillors had realised the council was "powerless" after Councillor Adam Nols-McVey's February motion / call for testing was rejected.

SOS Leith is calling on the Scottish Government to legislate so SEPA is mandated to test water if there is significant local concern, not just bathing waters. "People live along the river. So to say, 'Don't worry about living next to sewage, because you're not drinking or bathing in it', is simply not good enough."

[REDACTED: REGULATION 11(2)] also said there was section of the Water of Leith, at the bridge where Bernard Street meets the Shore, that “gets very stinky” – but said he was “no sure” if it was sewage from the CSO there, or “rotting rubbish that gathers in that corner”.

SNP councillor Danny Aston said he experienced a "stench" coming from a stretch of the river between Leith Shore and the Botanics at a Transport Committee meeting on October 10. Liberal Democrat councillor Jack Caldwell told The i Paper Edinburgh residents have told him they can “see and smell sewage releases” from CSOs.

He also called for “stronger legislation” from the Scottish Government to mandate SEPA to test beyond bathing waters, and for greater investment from Scottish Water to do more “significant upgrades” to CSOs and the sewer network.

[REDACTED: REGULATION 11(2)], manager of the Water of Leith Conservation Trust, told The i Paper that volunteers had regularly picked out wet wipes and sanitary pads from trees, branches and the shoreline next to the river from CSO releases – saying the CSO network was “contaminating the river with sewage”.

[REDACTED: REGULATION 11(2)] said she though smell would be coming from the sewer network running alongside the river, rather than the river itself. She said hoped the programme of CSO upgrades would make a difference, adding: “Ideally, we would have a big investment [from Scottish Water] in infrastructure so we didn’t have this foul water being mixed up with storm water and having to be released.”

(Regulatory Committee notes “regret” no testing is done, and plans to write to Environment Minister: <https://democracy.edinburgh.gov.uk/mgConvert2PDF.aspx?ID=75721>)

Any response from the Scottish Government? My deadline is **12 noon Thursday 17 October**.

Best,

[REDACTED: REGULATION 11(2)]

[REDACTED: REGULATION 11(2)] | Scotland Correspondent | **The i Paper** | [inews.co.uk](https://www.inews.co.uk) | Newspaper of the Year 2024 | Contact details: [REDACTED: REGULATION 11(2)] | [\[REDACTED: REGULATION 11\(2\)\]@inews.co.uk](mailto:[REDACTED: REGULATION 11(2)]@inews.co.uk)

From: [REDACTED: REGULATION 11(2)]<[REDACTED: REGULATION 11(2)]@gov.scot>; on behalf of; Cabinet Secretary for Net Zero and Energy <cabsecfornze@gov.scot>

Sent: Thu 17/10/2024 17:34

To: [REDACTED: REGULATION 11(2)]<[REDACTED: REGULATION 11(2)]@gov.scot>; Cabinet Secretary for Net Zero and Energy <cabsecfornze@gov.scot>; Communications Net Zero, Energy and Rural Affairs <CommunicationsNetZero&RuralAffairs@gov.scot>;

[REDACTED: REGULATION 11(2)]<[REDACTED: REGULATION 11(2)]@gov.scot>

Cc: [REDACTED: REGULATION 11(2)]<[REDACTED: REGULATION 11(2)]@gov.scot>;

[REDACTED: REGULATION 11(2)]<[REDACTED: REGULATION 11(2)]@gov.scot>;

[REDACTED: REGULATION 11(2)]<[REDACTED: REGULATION 11(2)]@gov.scot>;

[REDACTED: REGULATION 11(2)]<[REDACTED: REGULATION 11(2)]@gov.scot>;

[REDACTED: REGULATION 11(2)]<[REDACTED: REGULATION 11(2)]@gov.scot>;

[REDACTED: REGULATION 11(2)] [REDACTED: REGULATION 11(2)] <[REDACTED: REGULATION 11(2)]@gov.scot>;

[REDACTED: REGULATION 11(2)]<[REDACTED: REGULATION 11(2)]@gov.scot>;

[REDACTED: REGULATION 11(2)]<[REDACTED: REGULATION 11(2)]@gov.scot>;

REGULATION 11(2)]@gov.scot>; [REDACTED: REGULATION 11(2)]<[REDACTED: REGULATION 11(2)]@gov.scot>; [REDACTED: REGULATION 11(2)]<[REDACTED: REGULATION 11(2)]@gov.scot>; [REDACTED: REGULATION 11(2)] [REDACTED: REGULATION 11(2)] <[REDACTED: REGULATION 11(2)]@gov.scot>; Catherine Williams <[REDACTED: REGULATION 11(2)]@gov.scot>; Anne Aitken <[REDACTED: REGULATION 11(2)]@gov.scot>; [REDACTED: REGULATION 11(2)] [REDACTED: REGULATION 11(2)] <[REDACTED: REGULATION 11(2)]@gov.scot>; Sean McGivern <[REDACTED: REGULATION 11(2)]@gov.scot>; Ross Ingebrigtsen <[REDACTED: REGULATION 11(2)]@gov.scot>; Jack Middleton <[REDACTED: REGULATION 11(2)]@gov.scot>; Spads Admin <Spads_Admin@gov.scot>; [REDACTED: REGULATION 11(2)]<[REDACTED: REGULATION 11(2)]@gov.scot>; Communications Duty Box <CommunicationsDutyBox@gov.scot>

Subject: RE: Cab Sec clearance please: Edinburgh sewage releases - The i Paper

Hi [REDACTED: REGULATION 11(2)],

Cab Sec is content to clear.

Thanks,

[REDACTED: REGULATION 11(2)][REDACTED: REGULATION 11(2)]**Deputy Private Secretary to Cabinet Secretary for Net Zero and Energy – Gillian Martin MSP**
The Scottish Government

St Andrew's House | Regent Road | Edinburgh | EH1 3DG

T: [REDACTED: REGULATION 11(2)] **M:** [REDACTED: REGULATION 11(2)] **Email:** CabSecforNZE@gov.scot

From: [REDACTED: REGULATION 11(2)]<[REDACTED: REGULATION 11(2)]@gov.scot>

Sent: Thursday, October 17, 2024 5:17 PM

To: Cabinet Secretary for Net Zero and Energy <cabsecfornze@gov.scot>; Communications Net Zero, Energy and Rural Affairs <CommunicationsNetZero&RuralAffairs@gov.scot>;

[REDACTED: REGULATION 11(2)]<[REDACTED: REGULATION 11(2)]@gov.scot>

Cc: [REDACTED: REGULATION 11(2)]<[REDACTED: REGULATION 11(2)]@gov.scot>;

[REDACTED: REGULATION 11(2)]<[REDACTED: REGULATION 11(2)]@gov.scot>;

[REDACTED: REGULATION 11(2)]<[REDACTED: REGULATION 11(2)]@gov.scot>;

[REDACTED: REGULATION 11(2)]<[REDACTED: REGULATION 11(2)]@gov.scot>;

[REDACTED: REGULATION 11(2)]<[REDACTED: REGULATION 11(2)]@gov.scot>;

[REDACTED: REGULATION 11(2)] [REDACTED: REGULATION 11(2)] <[REDACTED: REGULATION 11(2)]@gov.scot>;

[REDACTED: REGULATION 11(2)]<[REDACTED: REGULATION 11(2)]@gov.scot>;

[REDACTED: REGULATION 11(2)]<[REDACTED: REGULATION 11(2)]@gov.scot>;

[REDACTED: REGULATION 11(2)]<[REDACTED: REGULATION 11(2)]@gov.scot>;

[REDACTED: REGULATION 11(2)]<[REDACTED: REGULATION 11(2)]@gov.scot>;

[REDACTED: REGULATION 11(2)] [REDACTED: REGULATION 11(2)] <[REDACTED: REGULATION 11(2)]@gov.scot>;

[REDACTED: REGULATION 11(2)] <[REDACTED: REGULATION 11(2)]@gov.scot>; Catherine Williams <[REDACTED: REGULATION 11(2)]@gov.scot>;

Anne Aitken <[REDACTED: REGULATION 11(2)]@gov.scot>;

[REDACTED: REGULATION 11(2)] [REDACTED: REGULATION 11(2)] <[REDACTED: REGULATION 11(2)]@gov.scot>;

Sean McGivern <[REDACTED: REGULATION 11(2)]@gov.scot>;

Ross Ingebrigtsen <[REDACTED: REGULATION 11(2)]@gov.scot>;

Jack Middleton <[REDACTED: REGULATION 11(2)]@gov.scot>;

Spads Admin <Spads_Admin@gov.scot>; [REDACTED: REGULATION 11(2)]<[REDACTED: REGULATION 11(2)]@gov.scot>;

Communications Duty Box <CommunicationsDutyBox@gov.scot>

<CommunicationsDutyBox@gov.scot>

Subject: RE: Cab Sec clearance please: Edinburgh sewage releases - The i Paper



Adding in [REDACTED: REGULATION 11(2)] for duty communications to issue when the Cab Sec has had a chance to consider.

From: [REDACTED: REGULATION 11(2)]<[REDACTED: REGULATION 11(2)]@gov.scot>
On Behalf Of Cabinet Secretary for Net Zero and Energy
Sent: Thursday, October 17, 2024 4:35 PM
To: [REDACTED: REGULATION 11(2)]<[REDACTED: REGULATION 11(2)]@gov.scot>;
Communications Net Zero, Energy and Rural Affairs
<CommunicationsNetZero&RuralAffairs@gov.scot>; Cabinet Secretary for Net Zero and
Energy <cabsecfornze@gov.scot>; [REDACTED: REGULATION 11(2)]<[REDACTED:
REGULATION 11(2)]@gov.scot>
Cc: [REDACTED: REGULATION 11(2)]<[REDACTED: REGULATION 11(2)]@gov.scot>;
[REDACTED: REGULATION 11(2)]<[REDACTED: REGULATION 11(2)]@gov.scot>;
[REDACTED: REGULATION 11(2)]<[REDACTED: REGULATION 11(2)]@gov.scot>;
[REDACTED: REGULATION 11(2)]<[REDACTED: REGULATION 11(2)]@gov.scot>;
[REDACTED: REGULATION 11(2)]<[REDACTED: REGULATION 11(2)]@gov.scot>;
[REDACTED: REGULATION 11(2)] [REDACTED: REGULATION 11(2)] <[REDACTED:
REGULATION 11(2)]@gov.scot>; [REDACTED: REGULATION 11(2)]<[REDACTED:
REGULATION 11(2)]@gov.scot>; [REDACTED: REGULATION 11(2)]<[REDACTED:
REGULATION 11(2)]@gov.scot>; [REDACTED: REGULATION 11(2)]<[REDACTED:
REGULATION 11(2)]@gov.scot>; [REDACTED: REGULATION 11(2)]<[REDACTED:
REGULATION 11(2)]@gov.scot>; [REDACTED: REGULATION 11(2)] [REDACTED:
REGULATION 11(2)]<[REDACTED: REGULATION 11(2)]@gov.scot>; Catherine Williams
<[REDACTED: REGULATION 11(2)]@gov.scot>; Anne Aitken <[REDACTED:
REGULATION 11(2)]@gov.scot>; [REDACTED: REGULATION 11(2)] [REDACTED:
REGULATION 11(2)] <[REDACTED: REGULATION 11(2)]@gov.scot>; Sean McGivern
<[REDACTED: REGULATION 11(2)]@gov.scot>; Ross Ingebrigtsen <[REDACTED:
REGULATION 11(2)]@gov.scot>; Jack Middleton <[REDACTED: REGULATION
11(2)]@gov.scot>; Spads Admin <Spads_Admin@gov.scot>
Subject: RE: Cab Sec clearance please: Edinburgh sewage releases - The i Paper

Hi [REDACTED: REGULATION 11(2)],

Cab Sec hasn't had a chance to clear these yet as she's been back to back all day.

Many thanks,

**[REDACTED: REGULATION 11(2)] Deputy Private Secretary to Cabinet Secretary for
Net Zero and Energy – Gillian Martin MSP**

The Scottish Government

St Andrew's House | Regent Road | Edinburgh | EH1 3DG

Email: CabSecforNZE@gov.scot

From: [REDACTED: REGULATION 11(2)]<[REDACTED: REGULATION 11(2)]@gov.scot>
Sent: Thursday, October 17, 2024 4:26 PM
To: Communications Net Zero, Energy and Rural Affairs
<CommunicationsNetZero&RuralAffairs@gov.scot>; Cabinet Secretary for Net Zero and
Energy <cabsecfornze@gov.scot>; [REDACTED: REGULATION 11(2)]<[REDACTED:
REGULATION 11(2)]@gov.scot>
Cc: [REDACTED: REGULATION 11(2)]<[REDACTED: REGULATION 11(2)]@gov.scot>;
[REDACTED: REGULATION 11(2)]<[REDACTED: REGULATION 11(2)]@gov.scot>;
[REDACTED: REGULATION 11(2)]<[REDACTED: REGULATION 11(2)]@gov.scot>;



[REDACTED: REGULATION 11(2)]<[REDACTED: REGULATION 11(2)]@gov.scot>;
[REDACTED: REGULATION 11(2)]<[REDACTED: REGULATION 11(2)]@gov.scot>;
[REDACTED: REGULATION 11(2)] [REDACTED: REGULATION 11(2)]<[REDACTED:
REGULATION 11(2)]@gov.scot>; [REDACTED: REGULATION 11(2)]<[REDACTED:
REGULATION 11(2)]@gov.scot>; [REDACTED: REGULATION 11(2)]<[REDACTED:
REGULATION 11(2)]@gov.scot>; [REDACTED: REGULATION 11(2)]<[REDACTED:
REGULATION 11(2)]@gov.scot>; [REDACTED: REGULATION 11(2)]<[REDACTED:
REGULATION 11(2)]@gov.scot>; [REDACTED: REGULATION 11(2)]<[REDACTED:
REGULATION 11(2)]@gov.scot>; Catherine Williams <[REDACTED: REGULATION
11(2)]@gov.scot>; Anne Aitken <[REDACTED: REGULATION 11(2)]@gov.scot>;
[REDACTED: REGULATION 11(2)] [REDACTED: REGULATION 11(2)] <[REDACTED:
REGULATION 11(2)]@gov.scot>; Sean McGivern <[REDACTED: REGULATION
11(2)]@gov.scot>; Ross Ingebrigtsen <[REDACTED: REGULATION 11(2)]@gov.scot>; Jack
Middleton <[REDACTED: REGULATION 11(2)]@gov.scot>; Spads Admin
<Spads_Admin@gov.scot>

Subject: RE: Cab Sec clearance please: Edinburgh sewage releases - The i Paper

Sorry to chase, has the Cab Sec had a chance to consider the amended lines please?

From: [REDACTED: REGULATION 11(2)] **On Behalf Of** Communications Net Zero, Energy and Rural Affairs

Sent: Thursday, October 17, 2024 11:36 AM

To: Cabinet Secretary for Net Zero and Energy <cabsecfornze@gov.scot>; [REDACTED: REGULATION 11(2)] [REDACTED: REGULATION 11(2)] <[REDACTED: REGULATION 11(2)]@gov.scot>

Cc: [REDACTED: REGULATION 11(2)]<[REDACTED: REGULATION 11(2)]@gov.scot>; Communications Net Zero, Energy and Rural Affairs <CommunicationsNetZero&RuralAffairs@gov.scot>; [REDACTED: REGULATION 11(2)]<[REDACTED: REGULATION 11(2)]@gov.scot>; [REDACTED: REGULATION 11(2)]<[REDACTED: REGULATION 11(2)]@gov.scot>; [REDACTED: REGULATION 11(2)]<[REDACTED: REGULATION 11(2)]@gov.scot>; [REDACTED: REGULATION 11(2)]<[REDACTED: REGULATION 11(2)]@gov.scot>; [REDACTED: REGULATION 11(2)]<[REDACTED: REGULATION 11(2)]@gov.scot>; [REDACTED: REGULATION 11(2)] [REDACTED: REGULATION 11(2)] <[REDACTED: REGULATION 11(2)]@gov.scot>; [REDACTED: REGULATION 11(2)]<[REDACTED: REGULATION 11(2)]@gov.scot>; [REDACTED: REGULATION 11(2)]<[REDACTED: REGULATION 11(2)]@gov.scot>; [REDACTED: REGULATION 11(2)]<[REDACTED: REGULATION 11(2)]@gov.scot>; [REDACTED: REGULATION 11(2)]<[REDACTED: REGULATION 11(2)]@gov.scot>; [REDACTED: REGULATION 11(2)] [REDACTED: REGULATION 11(2)]<[REDACTED: REGULATION 11(2)]@gov.scot>; Catherine Williams <[REDACTED: REGULATION 11(2)]@gov.scot>; Anne Aitken <[REDACTED: REGULATION 11(2)]@gov.scot>; [REDACTED: REGULATION 11(2)] <[REDACTED: REGULATION 11(2)]@gov.scot>; Sean McGivern <[REDACTED: REGULATION 11(2)]@gov.scot>; Ross Ingebrigtsen <[REDACTED: REGULATION 11(2)]@gov.scot>; Jack Middleton <[REDACTED: REGULATION 11(2)]@gov.scot>; Spads Admin <Spads_Admin@gov.scot>; [REDACTED: REGULATION 11(2)]<[REDACTED: REGULATION 11(2)]@gov.scot>

Subject: RE: Cab Sec clearance please: Edinburgh sewage releases - The i Paper

Good morning,

With thanks to colleagues, they have suggested amended lines. I would be grateful if the Cab Sec could consider these.

A Scottish Government spokesperson said:



<[REDACTED: REGULATION 11(2)]@gov.scot>; [REDACTED: REGULATION 11(2)]<[REDACTED: REGULATION 11(2)]@gov.scot>; [REDACTED: REGULATION 11(2)]<[REDACTED: REGULATION 11(2)]@gov.scot>; [REDACTED: REGULATION 11(2)]<[REDACTED: REGULATION 11(2)]@gov.scot>; [REDACTED: REGULATION 11(2)]<[REDACTED: REGULATION 11(2)]@gov.scot>; [REDACTED: REGULATION 11(2)]<[REDACTED: REGULATION 11(2)]@gov.scot>; [REDACTED: REGULATION 11(2)]<[REDACTED: REGULATION 11(2)]@gov.scot>; Catherine Williams <[REDACTED: REGULATION 11(2)]@gov.scot>; Anne Aitken <[REDACTED: REGULATION 11(2)]@gov.scot>; [REDACTED: REGULATION 11(2)]<[REDACTED: REGULATION 11(2)]@gov.scot>

Cc: [REDACTED: REGULATION 11(2)]<[REDACTED: REGULATION 11(2)]@gov.scot>; Communications Net Zero, Energy and Rural Affairs <CommunicationsNetZero&RuralAffairs@gov.scot>; [REDACTED: REGULATION 11(2)]<[REDACTED: REGULATION 11(2)]@gov.scot>

Subject: RE: Cab Sec clearance please: Edinburgh sewage releases - The i Paper

Thanks [REDACTED: REGULATION 11(2)],

I will draft a couple of background lines tomorrow and perhaps we could add something more specific to the lines to refer to the Water of Leith?

I will send over the background advice tomorrow, but [REDACTED: REGULATION 11(2)]/[REDACTED: REGULATION 11(2)]any lines you think might be useful let me know.

Thanks,

[REDACTED: REGULATION 11(2)]

From: [REDACTED: REGULATION 11(2)]<[REDACTED: REGULATION 11(2)]@gov.scot>

Sent: Wednesday, October 16, 2024 4:59 PM

To: [REDACTED: REGULATION 11(2)]<[REDACTED: REGULATION 11(2)]@gov.scot>;

[REDACTED: REGULATION 11(2)]<[REDACTED: REGULATION 11(2)]@gov.scot>;

[REDACTED: REGULATION 11(2)]<[REDACTED: REGULATION 11(2)]@gov.scot>;

[REDACTED: REGULATION 11(2)]<[REDACTED: REGULATION 11(2)]@gov.scot>;

[REDACTED: REGULATION 11(2)] <[REDACTED: REGULATION 11(2)]@gov.scot>;

[REDACTED: REGULATION 11(2)]<[REDACTED: REGULATION 11(2)]@gov.scot>;

[REDACTED: REGULATION 11(2)]<[REDACTED: REGULATION 11(2)]@gov.scot>;

[REDACTED: REGULATION 11(2)]<[REDACTED: REGULATION 11(2)]@gov.scot>;

[REDACTED: REGULATION 11(2)]<[REDACTED: REGULATION 11(2)]@gov.scot>;

Catherine Williams <[REDACTED: REGULATION 11(2)]@gov.scot>; Anne Aitken

<[REDACTED: REGULATION 11(2)]@gov.scot>; [REDACTED: REGULATION

11(2)]<[REDACTED: REGULATION 11(2)]@gov.scot>

Cc: [REDACTED: REGULATION 11(2)]<[REDACTED: REGULATION 11(2)]@gov.scot>;

Communications Net Zero, Energy and Rural Affairs

<CommunicationsNetZero&RuralAffairs@gov.scot>; [REDACTED: REGULATION

11(2)]<[REDACTED: REGULATION 11(2)]@gov.scot>

Subject: RE: Cab Sec clearance please: Edinburgh sewage releases - The i Paper

Hi [REDACTED: REGULATION 11(2)]

[REDACTED: REGULATION 10(4)(e)]

[REDACTED: REGULATION 10(4)(e)]

[REDACTED: REGULATION 10(4)(e)]



[REDACTED: REGULATION 10(4)(e)]

[REDACTED: REGULATION 11(2)]

From: [REDACTED: REGULATION 11(2)]<[REDACTED: REGULATION 11(2)]@gov.scot>

Sent: Wednesday, October 16, 2024 4:46 PM

To: [REDACTED: REGULATION 11(2)]<[REDACTED: REGULATION 11(2)]@gov.scot>;

[REDACTED: REGULATION 11(2)]<[REDACTED: REGULATION 11(2)]@gov.scot>;

[REDACTED: REGULATION 11(2)]<[REDACTED: REGULATION 11(2)]@gov.scot>;

[REDACTED: REGULATION 11(2)]<[REDACTED: REGULATION 11(2)]@gov.scot>;

[REDACTED: REGULATION 11(2)]<[REDACTED: REGULATION 11(2)]@gov.scot>;

[REDACTED: REGULATION 11(2)]<[REDACTED: REGULATION 11(2)]@gov.scot>;

[REDACTED: REGULATION 11(2)]<[REDACTED: REGULATION 11(2)]@gov.scot>;

[REDACTED: REGULATION 11(2)]<[REDACTED: REGULATION 11(2)]@gov.scot>;

[REDACTED: REGULATION 11(2)] [REDACTED: REGULATION 11(2)] <[REDACTED:

REGULATION 11(2)]@gov.scot>; Catherine Williams <[REDACTED: REGULATION

11(2)]@gov.scot>; Anne Aitken <[REDACTED: REGULATION

11(2)]@gov.scot> [REDACTED: REGULATION 11(2)] <[REDACTED: REGULATION

11(2)]@gov.scot>

Cc: [REDACTED: REGULATION 11(2)]<[REDACTED: REGULATION 11(2)]@gov.scot>;

Communications Net Zero, Energy and Rural Affairs

<CommunicationsNetZero&RuralAffairs@gov.scot>; [REDACTED: REGULATION

11(2)]<[REDACTED: REGULATION 11(2)]@gov.scot>

Subject: RE: Cab Sec clearance please: Edinburgh sewage releases - The i Paper

Hi,

[REDACTED: REGULATION 10(4)(e)]

[REDACTED: REGULATION 10(4)(e)]

Thanks,

[REDACTED: REGULATION 11(2)]

From: [REDACTED: REGULATION 11(2)]<[REDACTED: REGULATION 11(2)]@gov.scot>

Sent: Wednesday, October 16, 2024 4:40 PM

To: [REDACTED: REGULATION 11(2)]<[REDACTED: REGULATION 11(2)]@gov.scot>;

[REDACTED: REGULATION 11(2)]<[REDACTED: REGULATION 11(2)]@gov.scot>;

[REDACTED: REGULATION 11(2)]<[REDACTED: REGULATION 11(2)]@gov.scot>;

[REDACTED: REGULATION 11(2)]<[REDACTED: REGULATION 11(2)]@gov.scot>;

[REDACTED: REGULATION 11(2)]<[REDACTED: REGULATION 11(2)]@gov.scot>;

[REDACTED: REGULATION 11(2)]<[REDACTED: REGULATION 11(2)]@gov.scot>;

[REDACTED: REGULATION 11(2)]<[REDACTED: REGULATION 11(2)]@gov.scot>;

[REDACTED: REGULATION 11(2)]<[REDACTED: REGULATION 11(2)]@gov.scot>;

[REDACTED: REGULATION 11(2)] <[REDACTED: REGULATION 11(2)]@gov.scot>;

Catherine Williams <[REDACTED: REGULATION 11(2)]@gov.scot>; Anne Aitken

<[REDACTED: REGULATION 11(2)]@gov.scot>; [REDACTED: REGULATION 11(2)]

<[REDACTED: REGULATION 11(2)]@gov.scot>

Cc: [REDACTED: REGULATION 11(2)]<[REDACTED: REGULATION 11(2)]@gov.scot>;

Communications Net Zero, Energy and Rural Affairs

<CommunicationsNetZero&RuralAffairs@gov.scot>; [REDACTED: REGULATION

11(2)]<[REDACTED: REGULATION 11(2)]@gov.scot>

Subject: RE: Cab Sec clearance please: Edinburgh sewage releases - The i Paper



[REDACTED: REGULATION 11(2)]

Suggested response

A Scottish Government spokesperson said:

“Scottish Water is committing up to £500 million to improve water quality, increase monitoring of the highest priority waters and tackle debris and spills. This includes a commitment to install at least 1000 new monitors on the network by the end of 2024 – more than 900 of these are already installed.”

QUERY

Hello –

The i Paper is going to be running a story on frustration that SEPA and Environmental Standards Scotland (ESS) have rejected calls to carry out bacterial testing in the Water of Leith basins, River Almond and Figgate Burn basins in Edinburgh, amid concern about the potential impact of combined sewage overflow (CSO) releases.

[REDACTED: REGULATION 11(2)], of the SOS Leith group, told The i Paper that councillors had realised the council was “powerless” after Councillor Adam Nols-McVey’s February motion / call for testing was rejected.

SOS Leith is calling on the Scottish Government to legislate so SEPA is mandated to test water if there is significant local concern, not just bathing waters. “People live along the river. So to say, ‘Don’t worry about living next to sewage, because you’re not drinking or bathing in it’, is simply not good enough.”

[REDACTED: REGULATION 11(2)] also said there was section of the Water of Leith, at the bridge where Bernard Street meets the Shore, that “gets very stinky” – but said he was “no sure” if it was sewage from the CSO there, or “rotting rubbish that gathers in that corner”.

SNP councillor Danny Aston said he experienced a “stench” coming from a stretch of the river between Leith Shore and the Botanics at a Transport Committee meeting on October 10. Liberal Democrat councillor Jack Caldwell told The i Paper Edinburgh residents have told him they can “see and smell sewage releases” from CSOs.

He also called for “stronger legislation” from the Scottish Government to mandate SEPA to test beyond bathing waters, and for greater investment from Scottish Water to do more “significant upgrades” to CSOs and the sewer network.

[REDACTED: REGULATION 11(2)], manager of the Water of Leith Conservation Trust, told The i Paper that volunteers had regularly picked out wet wipes and sanitary pads from trees, branches and the shoreline next to the river from CSO releases – saying the CSO network was “contaminating the river with sewage”.

[REDACTED: REGULATION 11(2)] said she thought smell would be coming from the sewer network running alongside the river, rather than the river itself. She said hoped the programme of CSO upgrades would make a difference, adding: “Ideally, we would have a big investment [from Scottish Water] in infrastructure so we didn’t have this foul water being mixed up with storm water and having to be released.”



(Regulatory Committee notes "regret" no testing is done, and plans to write to Environment Minister: <https://democracy.edinburgh.gov.uk/mgConvert2PDF.aspx?ID=75721>)

From: [REDACTED: REGULATION 11(2)]<[REDACTED: REGULATION 11(2)]@gov.scot>
Sent: Tue 22/10/2024 09:17
To: [REDACTED: REGULATION 11(2)]<[REDACTED: REGULATION 11(2)]@gov.scot>
Subject: FW: Media Digest Tuesday 22nd October 2024

Same Story in the times this week...

The Times (Scotland) 21 **Water of Leith sewage spills must stop, campaigners urge** [REDACTED: REGULATION 11(2)], of the community group SOS Leith which campaigns for water quality, said he had been horrified to find that sewage sent into the river by Scottish Water was not tested. He was also dismayed that none of the 67 "combined sewer overflows" (CSOs) is monitored. "We're still pumping sewage into our river without knowing exactly what's in it," [REDACTED: REGULATION 11(2)] said.

Cheers,

[REDACTED: REGULATION 11(2)]

From: [REDACTED: REGULATION 11(2)]<[REDACTED: REGULATION 11(2)]@gov.scot>
Sent: Tuesday, October 22, 2024 7:45 AM
To: Communications MMU <CommunicationsMMU@gov.scot>; [REDACTED: REGULATION 11(2)]<[REDACTED: REGULATION 11(2)]@gov.scot>; Media Digest <DLSEAPMD@gov.scot>
Cc: 'Shirley-Anne Somerville MSP [REDACTED: REGULATION 11(2)] <[REDACTED: REGULATION 11(2)]@parliament.scot>; 'Jenny.Gilruth.msp@parliament.scot' <Jenny.Gilruth.msp@parliament.scot>; 'mairi.mcallan.msp@parliament.scot' <mairi.mcallan.msp@parliament.scot>
Subject: Media Digest Tuesday 22nd October 2024
Please do not reply to this email. For any questions related to the Media Digest mailing list, please email communicationsmmu@gov.scot
Press Summary For Scottish Government
22 October 2024

Compiled By Precise

1. FIRST MINISTER
2. DEPUTY FIRST MINISTER AND ECONOMY AND GAELIC
3. FINANCE & LOCAL GOVERNMENT
4. EDUCATION AND SKILLS
5. JUSTICE & HOME AFFAIRS
6. HEALTH & SOCIAL CARE
7. RURAL AFFAIRS, LAND REFORM AND ISLANDS
8. NET ZERO & ENERGY
9. SOCIAL JUSTICE
10. CONSTITUTION, EXTERNAL AFFAIRS AND CULTURE

1. FIRST MINISTER

[REDACTED: OUT OF SCOPE]



2. DEPUTY FIRST MINISTER AND ECONOMY AND GAELIC

[REDACTED: OUT OF SCOPE]

3. FINANCE & LOCAL GOVERNMENT

[REDACTED: OUT OF SCOPE]

4. EDUCATION AND SKILLS

[REDACTED: OUT OF SCOPE]

5. JUSTICE & HOME AFFAIRS

[REDACTED: OUT OF SCOPE]

6. HEALTH & SOCIAL CARE

[REDACTED: OUT OF SCOPE]

7. RURAL AFFAIRS, LAND REFORM AND ISLANDS

[REDACTED: OUT OF SCOPE]

8. NET ZERO & ENERGY

[REDACTED: OUT OF SCOPE]

The Times (Scotland) 21 **Water of Leith sewage spills must stop, campaigners urge** [REDACTED: REGULATION11(2)], of the community group SOS Leith which campaigns for water quality, said he had been horrified to find that sewage sent into the river by Scottish Water was not tested. He was also dismayed that none of the 67 "combined sewer overflows" (CSOs) is monitored. "We're still pumping sewage into our river without knowing exactly what's in it," [REDACTED: REGULATION11(2)] said.

9. SOCIAL JUSTICE

[REDACTED: OUT OF SCOPE]

10. CONSTITUTION, EXTERNAL AFFAIRS AND CULTURE

[REDACTED: OUT OF SCOPE]

[REDACTED: REGULATION 11(2)]Media Monitor | Media Monitoring Unit

Scottish Government, St Andrew's House, Edinburgh, EH1 3DG

e: [\[REDACTED: REGULATION 11\(2\)\]@gov.scot](mailto:[REDACTED: REGULATION 11(2)]@gov.scot)

Briefing pack for Cabinet Secretary for Net Zero & Energy meeting with Scottish Water and SEPA of 6 November 2024

What	This is a follow-up meeting with Scottish Water and SEPA to discuss the quality of the bathing waters at Portobello following her meeting with Chris Murray MP and Sarah Boyack MSP on 5 September.
Where	MS Teams
When	15:00 – 15:30, Wednesday 6 November 2024
Key messages/agenda	The Cabinet Secretary has requested further information on: <ol style="list-style-type: none">1. Monitoring at bathing waters2. [REDACTED: REGULATION 10(4)(e)]3. Scientific evidence to back the approach to investment to improve bathing waters4. [REDACTED: REGULATION 10(5)(f)]5. Next steps
Who	Simon Parsons, Scottish Water [REDACTED: REGULATION 11(2)], Scottish Water [REDACTED: REGULATION 11(2)], SEPA



	Lin Bunten, SEPA
Why	[REDACTED: REGULATION 10(4)(e)]
Supporting official	[REDACTED: REGULATION 11(2)][REDACTED: REGULATION 11(2)][REDACTED: REGULATION 11(2)]
Briefing contents	<p>Annex A – Background information on Bathing Waters monitoring, investment etc</p> <p>Annex B: Background</p> <p>Annex C: Minutes of meeting with Chris Murray MP</p>

Annex A

Background information on Bathing Waters

Introduction

- The Bathing Water (Scotland) Regulations 2008 implements the requirements of the Bathing Water Directive, which takes a proportionate approach aiming to minimise the health risks to large numbers of people whilst bathing.
- The Regulations enable Scottish Ministers to designate a bathing season in a period where they expect a large number of people to bathe at a designated bathing water.
- The definition of bathers, in this instance, is exclusive to paddlers and swimmers and does not cover other water users.
- For all 89 designated bathing waters in Scotland the bathing season runs from 1 June to 15 September each year, in accordance with the traditional period of peak usage.
- Bathing water seasons across Europe vary between 2 to 6 months with Scotland's in the middle at 3 ½ months.
- *E Coli* and Intestinal Entrococci are bacteria that live in the gut of most warm-blooded animals including birds, pets, farm animals, wild animals and humans and are present naturally in the water environment.
- Their presence indicates the likely presence of faecal matter, and therefore potentially pathogens that can cause illness, in the water. We use concentrations of these bacteria to indicate the level of risk to bathers' health. However, the presence of these bacteria does not indicate their source e.g. human or animal.
- In general, rivers and other open water locations that are not designated as bathing waters are managed for the purpose of protecting the environment (fish and wildlife), and are, therefore, not routinely monitored for indicator bacteria.

Monitoring

- Bathing Water monitoring and classification in Scotland is undertaken based on the analysis of *E. coli* and Intestinal Enterococci samples taken by SEPA following strict EU standards.
- These EU standards were reviewed by the World Health Organisation in 2018, which concluded they were fit for purpose.
- Bathing Water classification is based on 4 years monitoring data and not individual results. It is intended to give the public an overall indication of expected water quality at a designated bathing water for the current bathing season. However, there can be short term fluctuations in water quality, for example, following heavy rainfall.



- Monitoring is undertaken by SEPA at all designated bathing waters during the bathing water season along with a pre-season sample as required by the Regulations.
- [REDACTED: REGULATION 10(4)(e)].
- Bathing Water samples take on average 24 hours to process by SEPA who publish the sample results online for public awareness.
- At 30 Bathing Waters, including Portobello, SEPA provides electronic signs to inform the public of predicted bathing water quality on any given day based on the modelling of rainfall against historic water quality monitoring.
- SEPA's electronic signs are also used to warn the public of pollution events reported by Scottish Water.
- SEPA also undertakes investigative sampling in relation to water quality and advanced monitoring known as Microbial Source Tracking, where necessary. This tells us that both human and non-human sources are risks to Bathing water quality at Portobello.
- Portobello West and Central bathing waters are both currently classified as 'sufficient'.
- The Bathing Water (Scotland) Regulations 2008 places a general statutory duty on SEPA and the Scottish Ministers to take such realistic and proportionate measures as they consider appropriate with a view to increasing the number of bathing waters classified as "good" or "excellent".

Approach to Investment

- Scottish Water and SEPA undertook detailed studies at bathing waters to provide scientific evidence to back up investment decisions.
- It focussed on continuous (discharges from Wastewater treatment works) and intermittent discharges (CSOs) from the sewage system using mathematical predictions to understand the links between discharges events and bathing water quality.
- This approach was used from 2009 onwards to drive improvements at Bathing waters.
- The approach has been very successful in both identifying sources and prioritising investment to deliver the most cost effective outcomes to deliver improvements to bathing water quality. The evidence of improving bathing water quality is proof of the approach.
- For Portobello, a range of interventions were taken. The last of the 'significant interventions' reduced the frequency of a spill at a CSO (Fillyside) near the beach.
[REDACTED: REGULATION 10(4)(e)]
- [REDACTED: REGULATION 10(4)(e)]

EDMs & Intelligent Networks.

- Scottish Water has committed to installing 1,000 new Event Duration Monitors (EDMs) by the end of this year. Good progress has been made and 900 are already in place.
- These monitors are being installed on CSOs where spills are considered more likely due to capacity and weather impacts.
- Scottish Water has also committed to providing monitors on all its CSOs within 2km of a designated bathing water and provide near real-time spill data by December 2024.
- The spill monitoring data will inform the public and support SEPA's and Scottish Water's work to prioritise investment where it will most benefit our environment, bathers and communities.
- The progress with the installation of these monitors has increased the percentage of CSOs that are monitored from 4% to around 25%.
- Rather than permanent monitoring, which is the common approach for water companies in England, Scottish Water carried out a more comprehensive Scotland-wide environmental study programme (in partnership with SEPA) to assess the impacts of its assets on water quality during the 2015 to 2021 investment period, costing £40 million.

Scotland's environmental water quality

- 86.5% of Scotland's entire water environment is assessed by SEPA as having a 'high' or 'good' classification for water quality – up from 82% six years ago.
- 98% of Scotland's bathing waters currently achieve the bathing water quality standards with more being rated excellent than ever before.
- Short term fluctuations in water quality caused by heavy rainfall are experienced at Bathing Waters across the UK and Europe.
- In line with globally recognised guidance, SEPA advises against bathing for up to 48 hours after heavy rainfall due to the increased risk of poor water quality from a range of different sources.
- Whilst a small number of 'poor' monitoring results at a designated Bathing Water is disappointing, often it is unavoidably weather related, and is not an indication that water quality is continually poor on all other days.

Monitoring alone will not improve the classification of the water environment. That is why Scottish Water is committed through its routemap to investing in Waste Water Intelligent Networks (WWINs).

- Scottish Water has installed intelligent networks in four high-priority areas in Inverness, Lossiemouth, Erskine and East Calder, deploying a total of 232 network sensors.
- Intelligent networks use sensor technology in sewer manholes to alert Scottish Water to unexpected rises in the wastewater level, indicative of a blockage.
- This enhanced asset intelligence has detected and prevented 9 environmental pollution incidents and 26 flooding incidents, which would otherwise have impacted the water environment.
- A further 25 chokes or blockages have been responded to before there was any impact on consumers or the environment.
- In the second phase in late 2024 into early 2025, this initiative is being expanded throughout Scotland in a further 12 high-priority areas, deploying a further 1,500 network sensors.

Other Improving Urban Waters Routemap commitments

- Scottish Water are developing detailed solutions to address 109 high priority unsatisfactory CSOs, identified in conjunction with SEPA, that have water quality or sewer related debris impacts.
- Scottish Water is also developing solutions for 39 waste water treatment works which are included as water quality improvement measures.

Next Steps and Policy Development

- The root cause of most CSO spills is increased volumes of water reaching sewer networks due to climate change and increasing areas of impermeable surfaces.
- To improve water quality, we need to manage rainwater differently with blue-green infrastructure.
- [REDACTED: REGULATION 10(4)(e)]Improvements to information to the public are in progress with the installation of EDMs.
- We recently consulted on how Scotland and its water industry needs to adapt to the impacts of climate change exemplified by recent droughts and storms, and published an analysis of the responses in July.
- 82% of respondents said that Scotland's drainage system should be a combination of traditional grey and blue/green infrastructure.
- 95% agreed there is a need to plan, build, maintain and make room for drainage infrastructure to better manage rainwater in our communities.
- We are considering the responses to the consultation and developing policies that will limit the amount of rainwater entering sewers, tackling the root cause of most CSO spills.



Background

The Scottish Water Industry consists of wholesale provider, retail providers, economic and quality regulators, consumer advocacy and activities to support a wider economic development agenda. Numerous jobs are supported through this industry including 4,200 directly within Scottish Water and a further 5,000 in the construction industry and wider supply chain.

Key Facts and Figures

Scottish Water is the UK's fourth largest provider of water and wastewater services. It supplies roughly 97% of Scotland's population with drinking water and removes wastewater from 93% of the population. [REDACTED: REGULATION 10(4)(e)]

Scottish Water owns and maintains 30,586 miles of water pipes, 229 water treatment works, 33,982 miles of sewers and 1,838 wastewater treatment works. These are managed so as to ensure that that drinking water supplied to customers and wastewater discharged to the environment meet strict legislative standards.

Sewage spills

[REDACTED: REGULATION 10(4)(e)] Sewage spills from CSOs has emerged as a public concern during the pandemic when increased use was made of the environment for recreational activities. Spillages are not a new issue, although climate change and increasing urbanisation has contributed to the increasing frequency of spills. A number of MSPs (Lib Dem and Labour) have submitted PQs and correspondence raising: Sewage spills in general; Monitoring of CSOs; Environmental water quality; and Bathing waters.

What is a CSO?

Combined Sewer Overflows (CSOs) are an integral part of most of the sewer networks in Scotland and across the UK. Scotland's sewerage system is designed to accept both sewage, wastewater and drainage. In the event of very heavy rainfall it is designed to spill dilute wastewater to the environment to ensure that sewers don't back up and flood homes, streets and sewage works.

With increasing areas of impermeable surfaces (also known as urban creep) and the impact of climate change (increasing frequency and intensity of these types of rainfall events), CSOs are spilling more frequently. This is exacerbated by blockages in the network due to inappropriately-flushed items e.g. types of wet wipes, hygiene products etc. and other detritus that finds its way into the network.

Unless screens are fitted to CSOs, dilute sewage and any rubbish (also known as sewage related debris) is also discharged to the environment. The visibility of sewage debris as a result of such spills has attracted public interest, which grew due to "stay local" COVID restrictions, as well as the rise in popularity of wild swimming and the activities of pressure groups such as Surfers Against Sewage. [REDACTED: REGULATION 10(4)(e)]

How is water quality protected?

A framework derived from European Directives (Water Framework Directive) is the basis for assessing and protecting the water environment.

Statutory objectives to protect and improve Scotland's water environment by 2027 have been set and are based on ecological assessments and economic judgments. The regulations cover all types of water body.

SEPA licenses Scottish Water's discharges of sewage specifying the water quality standards to be met, and the requirements concerning the recording and reporting of pollution events. There are approximately 4,000 CSOs in Scotland. To date, SEPA has focused its regulatory effort on addressing those sewer overflows which were causing the worst environmental impacts. This has led to the upgrading of over 250 unsatisfactory sewer overflows over the past decade.

What actions is SEPA taking?

The Scottish Environment Protection Agency (SEPA) has a responsibility to protect and improve Scotland's environment. For the water environment, Scottish Ministers have committed through River Basin Management Planning, that 81% of waterbodies achieve 'good' overall status by 2027.

Our objectives for the water industry regulatory period 2021-27 and the associated work programme to reduce pollution from all sources including the sewerage network, aims to ensure that 92% of Scotland's waterbodies achieve 'good' or better condition for water quality by 2027 and continue to improve as natural conditions recover beyond that date.

SEPA's most recent classification results show that 67% of Scotland's waterbodies are now in good overall condition or better. There is a much stronger picture when this headline figure is disaggregated into separate assessments of water quality (86.5%), water resources (90%), physical condition (90%) and fish migration (88%).

What actions is Scottish Water taking?

Scottish Water has published its Improving Urban Waters Routemap outlining how it will continue to invest to improve Scotland's water environment. Scottish Water has already invested £686 million since 2010 and this routemap commits to a further £345-470 million during 2021-27.

The second annual Routemap update was published in December 2023 highlighting:

- 4 high priority discharge projects had been delivered, and a further 61 were underway to develop solutions and support delivery to all high priority CSO discharges by 2027.
- Priority locations have been identified for the 1,000 spill monitors, with 230 installed by the end of 2023.
- 229 further discharge monitors had been installed as part of the Wastewater Intelligent Networks programme.
- Spill data which is reported to SEPA has already been published on Scottish Water's website.

CSO Monitoring

Rather than permanent monitoring, which is the common approach for water companies in England, Scottish Water carried out a comprehensive Scotland-wide environmental study programme to assess and model the impacts of its assets on water quality during the 2015

to 2021 investment period costing **£40m**. These computer models can now allow Scottish Water to understand when CSOs will spill, under what rainfall conditions and the impact those spills will have on the environment.

[REDACTED: REGULATION 10(4)(e)]

Bathing Waters

Regular monitoring of bathing beaches' water quality takes place throughout the bathing season by SEPA. The most recent classification for all bathing waters is in the table below:

Classification	2024
Excellent	38
Good	37
Sufficient	12
Poor	2
Total	89

That means 98% of our bathing waters have met the necessary sufficient or better standards.

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.

Can sewage spills be eliminated entirely?

Eliminating sewage spills entirely is not practical. It would require the replacement and upsizing of almost the entire 50,000km of our combined sewer network at considerable capital [REDACTED: REGULATION 10(4)(e)] and carbon cost. [REDACTED: REGULATION 10(4)(e)]

The effects of wet wipes on sewers

Scottish Water deals with around 36,000 sewer blockages a year; this comes at a cost to customers of over £7 million annually. Around 80 per cent of the blockages attended feature wipes. Wet wipes are also a major source of sewer related debris in the environment.

Biodegradable wet wipes are designed to be tough and do not degrade in the hours that it takes sewage to travel from homes to a treatment works. They will therefore still cause blockages together with the associated flooding issues. Customers should ensure that all wet wipes are binned and, in line with Scottish Water's Nature Calls campaign, that only the 3 Ps are flushed.



The Scottish Government supports Scottish Water's Nature Calls campaign which urges customers to ensure that all wet wipes are binned and only the 3 Ps are flushed.

Scottish Marine Litter Policy

In 2022 we published our Marine Litter Strategy with a focus on multiple actions targeting the most problematic types of marine litter including fishing and aquaculture gear, sewage-related debris, and plastic pellets. The strategy will drive forward our work from now until 2027 and co-ordinate the efforts of our stakeholders and partners.

This builds on previous Scottish legislation to reduce marine and terrestrial litter and improve our circular economy with legislation on plastic carrier bags, microbeads, cotton-buds, and multiple food and beverage containers.

Annex C

Attendees

Gillian Martin MSP, Acting Cabinet Secretary for Net Zero and Energy
[REDACTED: REGULATION 11(2)], Head of Water Policy Team
[REDACTED: REGULATION 11(2)], Head of Environmental Quality Unit
[REDACTED: REGULATION 11(2)], Policy Officer, Water Policy Team
Chris Murray MP (CM)
Sarah Boyack MSP (SB)

Discussion

1. The Cabinet Secretary noted that CM had requested the meeting following the advice against bathing posted by the Scottish Environment Protection Agency (SEPA) at Portobello beach in the summer. She explained that SEPA's investigation into the cause of the incident had concluded that the source of bacteria was not human, and likely to be due to gulls. CM confirmed that he had been given this information when he met SW and that both he, and his constituents, were not re-assured by the explanation. CM also noted that the advice against bathing meant that local businesses had lost earnings and that his constituents had seen sewer related debris such as wet wipes which must have come from the sewer system.
2. The Cabinet Secretary noted CM's concerns on the impact to businesses when advice against bathing has been posted. She advised that SEPA must exercise judgement on the appropriate actions to take when water quality testing shows elevated levels of bacteria as its role is to make sure our waters are safe. The Cabinet Secretary also noted that SW runs regular campaigns to advise customers not to put wet wipes or sanitary products in the toilet to help reduce sewer related debris. She added that even if plastic wet wipes are banned, biodegradable wet wipes still cause issues such as blockages.
3. CM argued that officials didn't have enough information to make the decision which culminated in advice against bathing being posted – he suggested this was due to a lack of monitoring at Portobello and that further funds should be utilised to increase monitoring. CM also suggested that the issue with wet wipes is not that they are being flushed, but rather that their prevalence in the environment must mean that sewage has also spilled from the combined system.

4. The Cabinet Secretary agreed that water quality is extremely important and should be protected. She explained that some £40m is being invested to install an additional 1,000 CSO monitors and that SW is also developing wastewater intelligent networks (WWIN) to help proactively identify issues with the sewer system to prevent environmental pollution incidents (EPIs) and flooding – the WWIN have already prevented 9 EPIs and around 26 potential flooding incidents. The Cabinet Secretary also agreed with CM that Portobello beach is a popular location and that residents need re-assurance on the quality of the environment.
5. SB noted her surprise that the issue of water quality arose often during the recent UK election campaigning. She highlighted that there are a number of watercourses that discharge into the Forth, for example the River Esk and Brunstane Burn, and asked whether there is monitoring in place upstream to identify any negative impact on the bathing waters. CM noted his concern between the disparity of the position as reported by SW, and the experience his constituents have. He added that it would be helpful for more information on how SW prioritises investment. The Cabinet Secretary agreed to contact SW for further information on the additional monitoring that has already been put in place in the Lothian region, and what is planned to be installed as part of SW's future investment plans. The Cabinet Secretary would also contact SEPA for further information on bathing water monitoring in the Lothian region.
6. CM noted that he would forward files to the Cabinet Secretary that had been sent by constituents showing possible sewage pollution in the Edinburgh area.
7. CM also noted the recent media interest in the Water Industry Commission for Scotland's (WICS) Section 22 Report and whether there was any impact on investment as a result. The Cabinet Secretary noted that WICS's performance has been good, but confirmed that there were reviews underway into its financial management, and that the Public Audit Committee would scrutinise them once complete. She noted the reviews would be published but asked officials to send CM a copy when available.

Actions

- The Cabinet Secretary to meet with SW and SEPA to understand historic and future investment in monitoring water quality in Lothian area.
- CM to forward information on potential sewage pollution sent by his constituents.
- Water Policy officials to send CM a link to published reviews relating to WICS.

Water Policy Team
6 September 2024

Note of 6 November 2024 meeting between the Cabinet Secretary for Net Zero & Energy and Scottish Water and SEPA

Attendees

Gillian Martin MSP, Cabinet Secretary for Net Zero and Energy
[REDACTED: REGULATION 11(2)], Head of Water Policy Team
[REDACTED: REGULATION 11(2)], Head of Environmental Quality Unit
[REDACTED: REGULATION 11(2)], Water Policy Team
Simon Parsons, Scottish Water
[REDACTED: REGULATION 11(2)], Scottish Water
[REDACTED: REGULATION 11(2)], SEPA
Lin Bunten, SEPA



Discussion

1. Prior to Scottish Water and SEPA joining the meeting, officials advised the Cabinet Secretary that Scottish Water have delivered on their Improving Urban Waters Routemap (IUWR) commitment to install 1000 new Event Duration Monitors (EDMs) by the end of 2024. [REDACTED: REGULATION 10(4)(e)]
2. The Cabinet Secretary advised Scottish Water she held discussions with [REDACTED: REGULATION 10(5)(f)] about the work they are doing to reduce their water usage. She has suggested they contact Scottish Water to discuss this.
3. SEPA delivered a presentation on bathing waters, which noted the improvement in water quality over time and the public's changing expectations. It was noted that when bathing waters have a "poor" status then improvements plans are in place. As the status of the bathing waters at Portobello is "sufficient" no improvement plans are in place.
4. There are currently two bathing waters with a "poor" status and the Cabinet Secretary asked where these are located. SEPA confirmed these are at Kinghorn and Lower Largo and there are multiple potential causes.
5. SEPA undertake monitoring throughout the bathing season. This establishes the status based on a 4-year average and prompts advice and investigation where necessary. This resulted in an investigation into the incident at Portobello earlier this year, and SEPA have undertaken separate monitoring in relation to the recent "purple fluid" incident. In each case SEPA's analysis indicates the source is not human sewage. [REDACTED: REGULATION 10(4)(e)]
6. At priority bathing waters SEPA predict how the weather will impact on water quality throughout the season. This information is made available to the public to inform their decisions on whether to bathe or not. [REDACTED: REGULATION 10(4)(e)]
7. Scottish Water then gave an update on how their assets impact on water quality at Portobello and the delivery of commitments made under their IUWR.
8. Portobello is close to Seafield Waste Water Treatment Works which treats 95% of Edinburgh's wastewater. The treated effluent is returned to the environment via Long Sea Outfalls (LSOs) and modelling indicates these have no impact on the bathing waters at Portobello. Scottish Water's asset base includes Combined Sewer Overflows (CSOs) which may spill into the Figgate Burn when there is heavy rainfall.

[REDACTED: REGULATION 10(4)(e)]
9. As per its IUWR commitment, Scottish Water has installed 1000 new EDMs, of which 130 are in Edinburgh, and these are being validated. Any CSO within 2 km of bathing water is fitted with an EDM which helps Scottish Water and SEPA understand their impact on bathing waters.
10. It was noted that Scottish Water will publish a new overflow map in December 2024. This will help the public make decisions in relation to bathing waters by informing them if a CSO in proximity has spilled. However, it will not inform them about water quality which is why the work of SEPA is important.

11. The Cabinet Secretary noted the bathing waters at Portobello have a “sufficient” status but are close to “poor”. The Cabinet Secretary also noted the increased demand for access to the bathing waters at Portobello, and more generally, since the pandemic and their economic impact on the area. Therefore, the Cabinet Secretary wants Scottish Water to explore improvements that can be made to (i) prevent slippage into “poor” classification and (ii) take the status above “sufficient”.
12. Scottish Water agreed to look at what would be required but were keen to stress that significant investment would be required to achieve “good” status.
13. SEPA highlighted this would require improvements/changes from others, not only Scottish Water, noting their analysis of incidents this year do not point to human sewage as the source.
14. The Cabinet Secretary acknowledged these points and is keen everyone takes responsibility to deal with the sources impacting on water quality at Portobello.

