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Ìrean Àrainneachdail na h-Alba

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Simon Parsons
Director of Environment, Planning and Assurance
Scottish Water

(By email)

16 May 2025

Dear Simon

RE: ESS' Storm Overflows analytical report recommendations

Thank you for your letter of 3 March 2025 setting out Scottish Water's response to recommendations made by ESS in our report on ['Storm Overflows – An assessment of spills, their impact on the water environment and the effectiveness of legislation and policy'](#). The report finds that action needs to be taken to improve monitoring, regulatory guidance and the operation of storm overflows in Scotland.

[In our statement on the Scottish Government, Scottish Water and SEPA's responses to ESS' Storm Overflows report](#), ESS welcomes the constructive dialogue that has taken place with the Scottish Government, Scottish Water and SEPA since the publication of our report. We also summarise our position and next steps in relation to each of the recommendations made in the report.

Recommendation 1

As set out in our statement, ESS notes the progress that has been made by Scottish Water against their Improving Urban Waters Routemap commitment to install 1000 new overflow Event Duration Monitors (EDMs) in 2024. ESS will track the ongoing commitment to install a further 700 EDMs in 2025. We will also seek an update by 1 September 2025 from Scottish Water on their consideration of how best to publish data to identify where environmental

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pollution incidents (EPIs) are associated with overflow discharge locations. ESS also welcomed the Scottish Government's full support for the publication of information on spill data in response to recommendation 1.

Recommendation 2

As set out in our statement, ESS notes the progress that has been made by Scottish Water to install 1000 new overflow Event Duration Monitors (EDMs) in 2024 and the development of the overflow map in December 2024. This is a helpful additional source of information for the public and ESS welcomes the commitment to continue to quality assure and expand the dataset regularly with new EDMs.

ESS notes that Scottish Water aims to have completed installation of EDMs where already required by licence by the end of March 2025. It is positive that EDMs cover the significant majority of locations assessed as being unsatisfactory, however as stated in the recommendation, it is ESS' view that EDMs should be installed at all locations where storm overflows have been assessed as unsatisfactory. Scottish Water's proposal to develop plans to integrate live overflow event information with hydraulic modelling tools through the intelligent wastewater network (WWIN) is positive.

Therefore ESS requests that Scottish Water provide further details in writing on the installation of EDMs at all locations where storm overflows have been assessed as unsatisfactory and provides clarity on the anticipated timeline for developments through the intelligent wastewater network (WWIN).

Recommendation 5

As set out in our statement, ESS welcomes Scottish Water's commitment to develop a definition of dry weather operation for overflows with SEPA. ESS recognises that catchment response to rainfall can be complex. A clear, public statement on how infrastructure should operate in these circumstances is helpful and will support compliance, monitoring and investment.

ESS notes Scottish Water's commitment to develop the capability to identify 'chronic' dry weather spills and link overflow events and rainfall data through the intelligent wastewater

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network (WWIN). ESS will seek a further update from Scottish Water on activity relevant to this recommendation by 1 September 2025.

Recommendation 6

As set out in our statement, ESS notes that as part of Scottish Water's Improving Urban Waters Roadmap there is a published list of 108 high priority assets that have been identified for improvement and a supporting methodology. It is positive that information is also provided on Scottish Water's overflow map. However, while there is an indication across these sources of the priority of investment and the reason for investment, there is currently no timetable provided for when investment work will take place.

While ESS recognises that future investment decisions will be informed by the Strategic Review of Charges 2027-2033, it believes that it is important that clarity is provided to the public on the timetable for making decisions on when future investment in addressing high priority assets will be made. ESS will therefore seek a further update from Scottish Water on activity relevant to this recommendation by 1 September 2025. We will also continue to engage with the Scottish Government and Scottish Water on this topic.

Next steps

As noted above in relation to recommendations 1, 5 and 6 ESS welcomes Scottish Water's commitment to undertake further work on these topics and ESS would be grateful for a written update to provide more detail on work delivered, planned and underway by 1 September 2025.

In ESS' view, Scottish Water's response to recommendation 2 does not fully address the recommendation and greater clarity on Scottish Water's approach would be beneficial. Therefore, as noted above, ESS requests that Scottish Water provide further details in writing on the installation of EDMs at all locations where storm overflows have been assessed as unsatisfactory and provides clarity on the anticipated timeline for developments through the intelligent wastewater network (WWIN).

ESS will always seek to work constructively with public authorities where possible to reach informal resolution where we identify issues of environmental concern. However, where it is not possible to resolve a matter by agreement in a reasonable timescale, we will use the

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statutory powers available to us to prevent risk of harm to the environment, and to ensure the necessary remedial action is taken to put matters right.

I would be grateful if you could respond within 15 working days of the date of this letter.

Yours sincerely,

Mark Roberts

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