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Mark Roberts

Our Reference: 202500466682

Your Reference: ESS' Storm Overflows analytical report recommendations

10 June 2025

Dear Mark,

Thank you for your letter of 16 May 2025 regarding the recommendations made by Environmental Standards Scotland (ESS) in its report 'Storm Overflows – An assessment of spills, their impact on the water environment and the effectiveness of legislation and policy'.

I am pleased that ESS recognises the improvements that have been delivered relating to the installation of monitors on sewer systems and Scottish Water's commitment to publish data. This information, together with the sewer models built for a number of Scotland's sewer networks, should enable Scottish Water and the Scottish Environment Protection Agency (SEPA) to better understand where sewer overflows are having a detrimental impact on the environment.

You request that the Scottish Government reconsiders its position in relation to reviewing the existing guidance on the definition of exceptional circumstances in which it is permissible for storm overflows to spill. As my officials have explained, the current legislation is out of date and we are exploring policy options to rectify that situation. However in recognition of the ESS request my officials will look at how much the current guidance can practically be updated in advance of any legislative reform. Officials will discuss this further with ESS as work progresses.

As ESS may be aware, in Scotland we have deviated from concentrating on spill rates to considering the impact of sewer spills on the water environment through the River Basin Management Plans. Our approach is clearly delivering benefits with 87% of Scotland's entire water environment being assessed by SEPA as having a 'high' or 'good' classification for water quality. This is an increase of 5% 2014. Much of this improvement reflects the investments made in wastewater treatment and sewerage networks. I expect this approach to be maintained for Scottish Water's next investment period 2027-33.

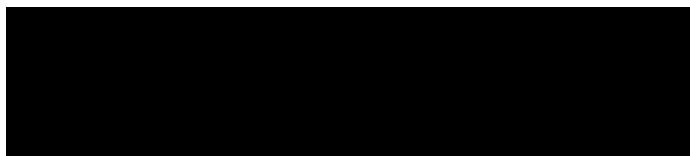
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Tha Ministearanna h-Alba, an luchd-comhairleachaidh sònraichte agus Rùnaire Maireannach fo chumhachan Achd Coiteachaidh (Alba) 2016. Faicibh www.lobbying.scot



Looking forward, alignment with the EU's recast Urban Wastewater Treatment Directive provides Scotland with an opportunity to reconsider how urban run-off and wastewater should be collected and conveyed, and the standards to which it should be treated. It considers, for example, how to define urban areas and the need to consider sources of pollution from the drainage of urban run-off and wastewater systems. My officials are assessing the alignment options together with the costs. I am expecting detailed assessments to be provided to me over the summer months in advance of a public consultation in late Autumn. I would very much welcome ESS' contribution to this debate and I support the constructive nature of the dialogue between our officials.

Yours sincerely,



GILLIAN MARTIN

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