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

[redacted]

Edward Mountain MSP
Convener
Net Zero, Energy and Transport Committee
Scottish Parliament
Edinburgh
EH99 1SP

29 April 2025

Dear Convener,

Follow up to evidence session on 25 March 2025

Thank you for the opportunity to provide evidence to the Committee on 25 March 2025. During the session, I committed to providing further information to the Committee relating to ESS' expenditure on external advice and on some further detail relating to ESS' report on storm overflows.

Expenditure on external advice in 2024/25

The Committee asked for further details of ESS' expenditure in the past year, where expertise is required to supplement that of its staff. Details of these (currently unaudited) costs are set out in the table below.

Organisation	**Description of service for ESS**	**Total**	**% of total 2024/25 budget (£3,020,000)**
AAB People	Human resources advice	£4,000	0.1%
Azets	Technical and operational finance advice	£4,230	0.1%
GEP Environmental	Independent third party verification of ESS' scope 3 greenhouse gas emissions	£4,320	0.1%

Glen Shuraig Consulting	Independent strategy development facilitation (internal)	£5,117	0.2%
Harper Macleod LLP	Specialist legal advice	£16,427	0.5%
Jump Research	Independent strategy development facilitation (external)	£18,761	0.6%
PA Advocacy	Stakeholder profile facilitation and advice	£3,060	0.1%
Central Government Procurement Shared Service	Procurement support and advice	£8,669	0.3%
Smarts	Public relations and communications support and advice (including filming and technical support)	£23,135	0.8%
Space Solutions	Office retrofit design advice	£1,680	0.1%
The Gate	Website support and advice	£16,680	0.6%
		£106,079	**3.5%**

Appointment of external consultants

The Committee requested information on how ESS contracts external advice. ESS utilises the Central Government Procurement Shared Service (CGPSS) to support and advise on all contracting of this type. The cost of this service is set out in the table above. The types of approach to contracting include: utilising existing frameworks; mini-competitions; and non-competitive actions for low-level contracts of a specialist nature (under £5,000). All of the organisations set out in the table were contracted on more than one occasion within this financial year.

Data regarding storm overflow spills during dry periods

The Committee requested further information relating to ESS' report on storm overflows (published on 4 September 2024) in Scotland. Specifically, the Committee asked about: (a) the cases in which spillage occurred during dry periods; and (b) information on how many constituted a significant level over an extended period of time.

The report noted that Scottish Water and the Scottish Environment Protection Agency (SEPA) had identified 12 combined sewer overflows (CSOs) which were at risk of operating in dry weather (see details in Annex 1). These CSOs had been observed spilling in dry

weather on at least one site visit. The reason for these spills may have been a temporary or operational issue, such as a collapse or blockage, rather than routine hydraulic overloading issues. Therefore, it was not possible to say whether these CSOs spilled in dry weather frequently or continuously. In subsequent correspondence with ESS in April 2025, Scottish Water confirmed that these overflows had been identified as spilling in dry weather during site observations and that follow-up project work will be completed by the end of 2027.

Estimating the scale of the issue

ESS' analysis examined the potential for dry weather spills. This analysis was not intended to identify definitively all instances of dry weather spilling and there were limitations on ESS' ability to determine accurately the scale and significance of the issue. These included:

- the data available related to a very limited number of CSOs and settled storm sewage overflows (SSSOs). These were likely to be a biased subset (as monitors are more likely to be fitted on high throughput systems, or those near areas where overflows are likely to have high environmental or health impacts). Even for these storm overflows, data was not always available for the complete year

- there were challenges in identifying dry weather spills, for example due to a lag in water from a hilltop or outflow reaching a treatment plant or overflow, or due to the length of a river catchment. There is no recognised approach to defining a dry weather spill. Scottish Water currently identifies these through modelling or through investigation of pollution incidents

Given the points above, ESS suggested in its report that the 12 CSOs identified by Scottish Water and SEPA were likely to be an underestimate. However, the available data did not allow us to identify comprehensively the scale of the issue. As an illustration of this, the CSO at the Ardnadam sewage pumping station in Dunoon was not one of the 12 overflows identified by Scottish Water and SEPA. In 2023, it spilled 207 times for a total duration of 187 days over 277 individual days. Scottish Water publishes data on overflow events on its website. There is no information on the weather conditions associated with the overflow data. ESS examined Met Office data for the local area and linked this to the dates of the spills. This indicated that, in 2023, 31 of Ardnadam CSO's spills occurred on days where there had been less than 0.25 mm of rain on the day of the spill and the preceding day.

ESS' report recommended that "Scottish Water and SEPA should more routinely assess available rainfall, flow and spill event data to identify all instances of overflows which appear to spill in dry weather and prioritise these for investigation and improvement as soon as possible."

SEPA's response to this recommendation noted that it had identified 60 catchments in which it requires Scottish Water to undertake studies and had identified a small number of CSOs which spill in dry weather. SEPA has committed to developing an analytical tool to look at the relationship between rainfall and spill data to identify patterns and trends. However, it states that due to the complexity of the relationship the tool cannot yet identify specific sites. SEPA has committed to providing ESS with a more detailed outline of its work by 1 September 2025.

Scottish Water's response to this recommendation stated that: "Scottish Water agrees that overflows should not normally operate during dry weather and that there should be sufficient hydraulic capacity within the system to ensure dry weather flow can be properly contained, conveyed and treated. Where discharges have been observed during dry weather periods, these have been prioritised for further investigation and improvement and we would envisage that this will continue. We will work with SEPA to develop the definition of dry weather operation for overflows, recognising the complexity of catchment response to rainfall events."

I hope this information is helpful to the Committee.

Yours sincerely,

Mark Roberts
Chief Executive

Annex 1: List of CSOs identified by Scottish Water and SEPA as being at risk of spilling in dry weather

CSO name	Location
2 Kirkford / Kirkford Bridge CSO	Stewarton
78 High Street CSO	Stewarton
Bo'ness, Grangepans WwPS CSO	Bo'ness
Corbiehall WwPS CSO	Bo'ness
Cramond, Cramond WwPS CSO	Edinburgh
Cramond, Glebe Road CSO	Edinburgh
Dalgety Bay, St Bridgets Brae CSO	Dunfermline
David Dale Avenue CSO	Stewarton
Dysart Road (Ravenscraig) CSO	Kirkcaldy
Grangemouth, Glensburgh WwPS CSO	Dalderse
Polmont, North side of M9 CSO	Kinneil Kerse
Polmont, South side of M9 CSO	Kinneil Kerse