

Citizen Participation and Public Petitions Committee
Wednesday 4 June 2025
10th Meeting, 2025 (Session 6)

PE1988: Review the process for disposal of household raw sewage

Introduction

Petitioner Sue Wallis

Petition summary Calling on the Scottish Parliament to urge the Scottish Government to:

- review the process for allowing raw sewage discharge from homes into Scottish coastal waters
- provide additional funding to SEPA for enforcement
- introduce legislation to ban households from discharging raw sewage

Webpage <https://petitions.parliament.scot/petitions/PE1988>

1. [The Committee last considered this petition at its meeting on 30 October 2024](#). At that meeting, the Committee agreed to write to the Scottish Government.
2. The petition summary is included in **Annexe A** and the Official Report of the Committee's last consideration of this petition is at **Annexe B**.
3. The Committee has received new written submissions from the Scottish Government and the Petitioner which are set out in **Annexe C**.
4. [Written submissions received prior to the Committee's last consideration can be found on the petition's webpage](#).
5. [Further background information about this petition can be found in the SPICe briefing](#) for this petition.
6. [The Scottish Government gave its initial response to the petition on 14 December 2022](#).
7. Every petition collects signatures while it remains under consideration. At the time of writing, 9 signatures have been received on this petition.

Action

8. The Committee is invited to consider what action it wishes to take.

Clerks to the Committee
May 2025

Annexe A: Summary of petition

PE1988: Review the process for disposal of household raw sewage

Petitioner

Sue Wallis

Date Lodged

16 November 2022

Petition summary

Calling on the Scottish Parliament to urge the Scottish Government to:

- review the process for allowing raw sewage discharge from homes into Scottish coastal waters
- provide additional funding to SEPA for enforcement
- introduce legislation to ban households from discharging raw sewage

Previous action

Emails to Jenni Minto MSP (local MSP), and Michael Russell MSP (previous MSP).

Discussions with Scottish Water Directors & staff, and SEPA area manager & staff, there's a desire from them for change but a need for funding from elsewhere.

Scottish Water claims not to have budget to connect homes to any local sewage networks and SEPA doesn't have budget to police the system.

Background information

Rural households have a legal right to discharge raw sewage to the sea; polluting waters and beaches. SEPA controls the approval and policing of the current process for these historic rights. Outfall pipes break and sewage is deposited on beaches at low tides. By SEPA's own admission their budget does not enable effective enforcement action to be taken.

Many of the homes can't afford to connect to any sewer or have space/money for septic tanks/reed beds. Many do not want to change a system that is free waste disposal for them.

The Scottish Government should ban outfall pipes and allocate specific funding for SEPA to identify and enforce shortfall pipe correction. All activity/paralysis is put at the door of funding and only the Scottish Government can break that impasse. Does the Scottish Parliament support this polluting process that is allowed in this day and age? Doing nothing to change it is supporting it.

Annexe B: Extract from Official Report of last consideration of PE1988 on 30 October 2024

The Convener: We move to PE1988, which was lodged by Sue Wallis. The petition calls on the Scottish Parliament to urge the Scottish Government to review the process for allowing raw sewage discharge from homes into Scottish coastal waters, to provide additional funding to the Scottish Environment Protection Agency for enforcement, and to introduce legislation to ban households from discharging raw sewage.

We last considered the petition in December 2023, when we agreed to write to the Scottish Government. Its response to the committee reiterates SEPA's approach to regulation. The submission highlights two consultations, the first of which relates to proposals for an integrated environmental authorisation framework. The second consultation sought views on the regulation of private wastewater treatment systems to protect the environment.

The petitioner's written submission states that the response from the Scottish Government provides a circular argument and does not provide more insight on regulation, as requested by the committee. She notes SEPA's requirement to contribute to improving the health and wellbeing of people in Scotland and argues that the responses to the petition from both SEPA and the Scottish Government have not addressed that point. The petitioner states that all responses and strategies have focused entirely on environmental issues, to the exclusion of other linked duties.

Do members have any comments or suggestions for action?

David Torrance: Perhaps the committee would consider writing to the Scottish Government to ask whether it intends to take any action on private wastewater systems in response to the water, wastewater and drainage policy consultation findings. We could ask whether the Government recognises that, by prioritising its enforcement activity on incidents that have the greatest environmental impact or involve significant non-compliance, SEPA is not addressing actions that fall under that threshold but still have a significant impact on people's quality of life?

The Convener: Mr Torrance has made a couple of suggestions. Do we agree to keep the petition open and to pursue the suggested course of action?

Members *indicated agreement.*

Annexe C: Written submissions

Scottish Government written submission, 10 March 2025

PE1988/I: Review the process for disposal of household raw sewage

Thank you for your letter from Citizen Participation and Public Petitions Committee dated 1 November 2024 regarding petition PE1988 Review the process for the disposal of household raw sewage. I apologise for the delay in responding, however, the letter did not reach its intended recipients until 11 February 2025.

In response to the two further questions from the Committee on the water, wastewater and drainage policy consultation findings and policy development, and role of the Scottish Environment Protection Agency (SEPA) I have the following advice.

The Scottish Government's analysis and response to the Water, Wastewater and Drainage consultation was published on 5 July 2024 and is available at [Water, wastewater and drainage: consultation analysis - gov.scot](https://www.gov.scot/publications/water-wastewater-and-drainage-consultation-analysis/pages/1.aspx).

In relation to private wastewater drainage systems the consultation analysis found that respondents broadly agreed with our proposals that private wastewater treatment systems should be tested and inspected to ensure that they do not impact negatively on the environment. We are now using the responses to this consultation to inform our policy development process, which continues through 2025.

The prioritisation of enforcement activity is a matter for SEPA as Scotland's principal independent environmental regulator. SEPA recently reviewed its approach to regulation, evolving from its 2016 Regulatory Strategy to better reflect future challenges and opportunities. In its [revised Approach to Regulation](#), SEPA sets out how it intends to target and focus resources to play its part, with others, to take the action needed to protect and improve Scotland's environment, and to tackle the climate, pollution, and nature loss crises.

However, any consideration of such prioritisation should be undertaken in the context of SEPA's primary function. The Scottish Government document ([Purpose of the Scottish Environment Protection Agency and its contribution towards sustainable development: statutory guidance - gov.scot](#)) referenced by the petitioner's submission of 27 February 2023 provides statutory guidance to SEPA on its general purpose, as introduced by the Regulatory Reform (Scotland) Act 2014, and its contribution towards sustainable development.

The guidance is intended to assist SEPA in preparing its Corporate Plan, and in delivery of its work programme as it supports delivery of the Scottish Government's Purpose:

"To focus government and public services on creating a more successful country, with opportunities for all of Scotland to flourish, through increasing sustainable economic growth."

The guidance recognises that SEPA's primary role is to protect and improve the environment as Scotland's principal environmental regulator. The Regulatory Reform (Scotland) Act 2014 introduced a general purpose for SEPA, as follows:

- *(1) SEPA is to carry out the functions conferred on it by or under this Act or any other enactment for the purpose of protecting and improving the environment (including managing natural resources in a sustainable way).*
- *(2) In carrying out its functions for that purpose SEPA must, except to the extent that it would be inconsistent with subsection (1) to do so, contribute to-*
 - *(a) improving the health and wellbeing of people in Scotland, and*
 - *(b) achieving sustainable economic growth*

SEPA, like all public bodies, must prioritise its resources in carrying out its functions. The general purpose for SEPA, set out above, provides for a clear hierarchy which acknowledges the three elements of sustainable development but that primacy is to be given, by SEPA, to protecting and improving the environment.

The Scottish Government is content that SEPA has sufficient resources to apply its approach to regulation and those principles across all its functions as well as its enforcement policy ([Enforcement | Scottish Environment Protection Agency \(SEPA\)](#)), which includes the regulation of private sewage treatment systems.

I hope you find this information helpful.

Environment and Forestry Directorate

Petitioner written submission, 19 May 2025

PE1988/J: Review the process for disposal of household raw sewage

I would be grateful to know if there is any reason why SEPA's Corporate Leadership Team cannot be asked to carry out a review of how their staff actually monitor the details of all direct outfall pipes for homes in Scotland.

The Scottish Government has stated it is content with how SEPA is managed and with its decision making, yet a senior SEPA manager has told me that they do not have accurate up to date information on homes and owners with direct outfall pipes; if a complaint is made about a broken pipe it remains unrepaired because SEPA does not know, for many areas, which pipes exist or who even owns them. I have been told it is complicated to determine this ownership data. I have also been told, by this senior manager, that although SEPA has the powers to prosecute for unrepaired pipes they have never done this because of the concern that it will become too expensive to pursue. (see Appendix I).

The reason for starting this petition is mainly driven by the ridiculous situation of human faeces being allowed to sit on our public beaches whilst dog faeces incur a fine.

Is the Corporate Leadership Team working within Donald Rumsfeld quote territory: "...unknown unknowns, things that we don't know that we don't know".

SEPA has not shied away from prosecutions when it comes to identifying river water courses that have been illegally altered, a current example is ongoing in Dumfries, so why is there a reticence for prosecutions for human waste on our beaches? I suspect that the Corporate Leadership Team is unaware of these decisions being made to not correctly register or pursue broken outfall pipes, and therefore does not have the data to know that potential prosecutions are being avoided.

So, is there any reason why the Scottish Government cannot be asked to write directly to the Corporate Leadership Team (CLT) for SEPA and ask them to explain why there have been no prosecutions for human waste pollution from broken direct outfall pipes on our beaches, and hence review the process of how the ownership details of all direct outfall pipes is managed?

Please note, Appendix I has more detailed explanations as to why the I feel the SEPA CLT is receiving filtered information from lower down the employee chain.

Appendix I

The impetus for me initiating this Petition is because I was told in an email by a SEPA employee in 2022 that:

"...private sewage has been increasingly recognised as a issue (sic) that would benefit from clearer direction as it places a consistent demand on SEPA Officer resource in small rural offices despite the limited scope for us to influence or resolve issues.

Fundamentally, the maintenance and upgrading of a private sewage treatment systems is the responsibility of the homeowner. We still have difficulty encouraging homeowners to take responsibility for this. This is the main issue with resolving individual problems.

I won't bombard you with information on the other factors, but they include SEPA prioritisation, the need for enforcement action to be proportionate/consistent, the not inconsiderable costs involved in upgrading/maintaining private sewage systems, lack of alternative solutions, and in most cases the extremely localised impact on the water environment from individual discharges.

Clear direction issued from the Scottish Government could certainly potentially address some of those factors, but the issue of cost is the crux of the matter."

A senior SEPA manager has told me that the sale of properties with direct outfall pipes does not automatically get listed by SEPA, there is no member of staff allocated such duties, hence the data base is out of date and progressive change does not happen; even if a home owner is contacted about changing their outfall pipe system there is no follow-up action to know if any work has been done.

We clearly have an impasse, whereby SEPA employees know the problem, and know that the current system cannot allow them to resolve it because of the prioritisation process that management can potentially use as a shield for these

effectively small environmental, yet major personal human life-affecting, issues. This process of ping-pong of batting back a defensive stance from the Government that SEPA is in charge of its priorities will never effect change on this issue.

Please can the Committee take note of the information from the SEPA employees to see the reality behind the current process, and encourage the Scottish Government to guide this public body to focus on issues that are real for people and their everyday lives.

Is there any reason why the Committee cannot ask the Scottish Government to ask SEPA's Corporate Leadership Team to carry out a review of how they actually do monitor the details of all direct outfall pipes for homes in Scotland?