

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

Scottish Government written submission, 10 March 2025

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](#).

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