

PE1563/B

Environment and Forestry Directorate

Environmental Quality Division

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**The Scottish
Government**
Riaghaltas na h-Alba

Public Petitions Clerks
Room T3.40
The Scottish Parliament
Edinburgh
EH99 1SP



LEGACY 2014
XX COMMONWEALTH GAMES
SCOTLAND

16 June 2015

Dear Clerk,

Thank you for your letter of 27 May 2015 in relation to the consideration of Petition PE1563 (sewage sludge spreading).

The review is aimed at looking at the existing legislation and guidance relating to the use of sewage sludge and identifying areas where the existing arrangements could be improved upon, in light of recent public concern.

In order to hear directly from the public, a number of meetings have already taken place with stakeholders, including representatives of the Avonbridge and Standburn Community Council, and with Douglas Community Council, to hear their views and concerns. Further meetings with stakeholders will take place in the coming weeks.

The Sludge Review is investigating and considering the following issues:

- a) Treatment of non-agricultural land for the purposes of restoration – rates, methods and guidance and legislation for such activities.
- b) Land classification, including the circumstances when land under restoration becomes ready for use in agriculture or forestry
- c) Licensing Requirements:
 - Criteria for exemptions under Waste Management Licensing (Scotland) Regulations 2011.
 - Role of licensing in relation to land restoration projects.
 - Options for a “fit and proper person” test and registration scheme.
 - Minimum distance of sludge storage and spreading from dwellings
 - Role of planning system.

- Approach to identifying 'ecological improvement' and 'benefit to agriculture'
- d) Roles, responsibilities and parameters related to treatment and testing sludge, including the legal requirements around treatment and storage of sewage sludge.
- e) Links with other legislation, statutory management and planning requirements and voluntary schemes.
- f) Communication, consultation and notification: neighbours, landowners and other stakeholders
- g) Nuisance issues such as odour, and noise during unsocial hours.
- h) Reporting and data collection – quantities of sludge used, locations, materials and regulatory controls etc.
- i) Improvements to regulation and guidance, including legal definitions.
- j) Improvements to liaison between all delivery partners.

As part of the review officials from Scottish Government, SEPA and Scottish Water are meeting with various stakeholders including:

- Forestry Commission Scotland
- Scottish Natural Heritage
- local authorities
- site operators
- members of the public (particularly those located near restoration and agricultural sites)
- farming and rural land interests including National Farmers Union of Scotland and Scottish Land and Estates
- Health Protection Scotland

On completion of the review, Richard Lochhead MSP, Cabinet Secretary for Rural Affairs, Food and Environment will consider the findings. Should Mr Lochhead decide to propose changes in light of the review findings, a full consultation on the proposals would then take place.

I hope the Petitions Committee finds this helpful.

Yours sincerely

GARY GRAY
Zero Waste Delivery Team