

**Note of Meeting with Toward Residents and SEPA
on Wednesday 3rd December 2008**

Present: Councillor J R Walsh (Chair)

23 Residents from Toward

Attending: Shirley MacLeod, Area Corporate Services Manager
Samuel Kyeremeh, SEPA

Apologies: None

Councillor Walsh welcomed everybody to the meeting and made introductions.

Samuel Kyeremeh, SEPA, advised that since April 2006 sewerage now has to be treated to SEPA agreed standard, and there are many private schemes in existence. SEPA understands the problems which property owners have and are willing to give them enough time to put a treatment in place, which will generally be within 3 years. If it is not possible to use a simple septic tank SEPA recommend secondary treatment e.g biodisk, specific guidelines are available. SEPA are not trying to force people to get this done, they are looking to get convenient agreement with home owners.

Residents asked why Scottish Water are not dealing with this by provision of interceptor sewers, and noted that while broken pipes will be fixed it is not reasonable to put in a plethora of septic tanks.

Councillor Walsh asked that the efficiency of septic tanks and about building control issues, and noted that the Council had communicated with Scottish Water to get Toward into the new waste water treatment system and asked how SEPA can help get Toward connected in to the public system?

Samuel Kyeremeh said that SEPA are happy for people to connect to public systems and doesn't know why Scottish Water will not connect Toward, this is a matter for Scottish Water to give reasons, it is difficult for SEPA to push them on this.

Councillor Walsh said that the Council did try to progress connection to the public system under the Waste Water Treatment directive but SEPA would not get involved and now they want residents to get connected, there is a role for SEPA in residents complying with the Directive.

Samuel Kyeremeh said it was difficult situation for SEPA if Scottish Water say no capacity then it is their call, SEPA are now dealing with individuals in helping them comply with the regulations.

Neil Ferguson said that SEPA could not push Scottish Water so they are now trying to push residents.

Samuel Kyeremeh said that the first option for SEPA is always to connect to the public sewer and only if this is not possible will individual schemes be accepted/progressed.

Councillor Walsh said that he was looking for SEPA to work with the community to represent to Scottish Water to have Toward involved in the public system. Historical properties need to have this resolved, though there is less of an issue for new development where treatment can be designed in.

Samuel Kyeremeh said that Scottish Water need to clarify why they won't include Toward in the new scheme.

Neil Ferguson said that Toward has less than 2000 population and Scottish Water do not need to include them in the scheme under the Waste Water Treatment Directive. SEPA should have alerted all private system owners to the need to upgrade their system, in the meantime all they should be asked to do is fix broken pipes.

Councillor Walsh noted the need to present Toward as a special case and get SEPA's support for this.

South Cowal Community Council spoke to Scottish Water at least twice to get Toward included and had unsatisfactory answers regarding the need for increased capacity in the system.

Councillor Walsh said that SEPA need to be more proactive in pushing for Toward to be included in the system and recognise the special circumstances, and work with Argyll and Bute Council to progress this inclusion.

Scottish Water are currently in breach of European Waste Water Treatment Directive, and could emulate the system south of Miller Avenue as is in place north of there. It was felt that SEPA react to complaints/concerns raised rather than dealing with matters proactively, they should maintain a flexible approach to best way to progress. It was noted that the residents of Toward don't have a public facility to make a choice to connect to.

Samuel Kyeremeh said SEPA will only give a deadline where compelled to eg. Where Scottish Water have a system and people refuse to connect or provide alternative.

If Scottish Water won't provide a facility residents would look for matters to be progressed to provide private system, and wondered if there would be grants to help people.

Councillor Walsh noted that the Council should facilitate a way forward on a tripartite basis with Scottish Water and SEPA, but further noted the need for SEPA tolerances to progress this and not take further action on Toward in the meantime.

Samuel Kyeremeh said it was in the owner's interest to have discharge authorisations in place in relation to property resale etc and advised that SEPA will authorise if discharge meets agreed criteria.

Councillor Walsh said that the worst case scenario was that many properties won't have discharge consents, SEPA need to ensure that Scottish Water have a system in place before individuals are prosecuted for unauthorised discharge.

Councillor Walsh asked Samuel Kyeremeh to get agreement that SEPA will work with the Council to get Scottish Water to provide a system and in the meantime agree not to prosecute individuals.

Samuel Kyeremeh said SEPA would allow up to 5 years before prosecution and requested that the Council progress this with Scottish Water and look for a corporate approach with SEPA working proactively on the matter.

Samuel Kyeremeh said it was illegal for new properties to discharge if built after 1st April 2006.

South Cowal Community Council said they would look to monitor how many people are interested in connecting onto the public system and how many are on private systems and have no discharge consents. Shirley MacLeod will link with the Community Council to progress this.