

The river basin management plan for the Scotland river basin district 2009–2015

Annex 1: Competent authorities

This annex sets out the names and addresses of competent authorities for the implementation of the Water Framework Directive within the Scotland river basin district and a note of their legal status and responsibilities.

CHAPTER GUIDE

Section	Page	What's covered in each Section
1. Legal status and competent authorities	4	Information on the competent authorities, names and roles
2. Membership	5	Not applicable in Scotland
3. Contact	5	Contact information

If you would like to contact the competent authorities you can find contact details at:

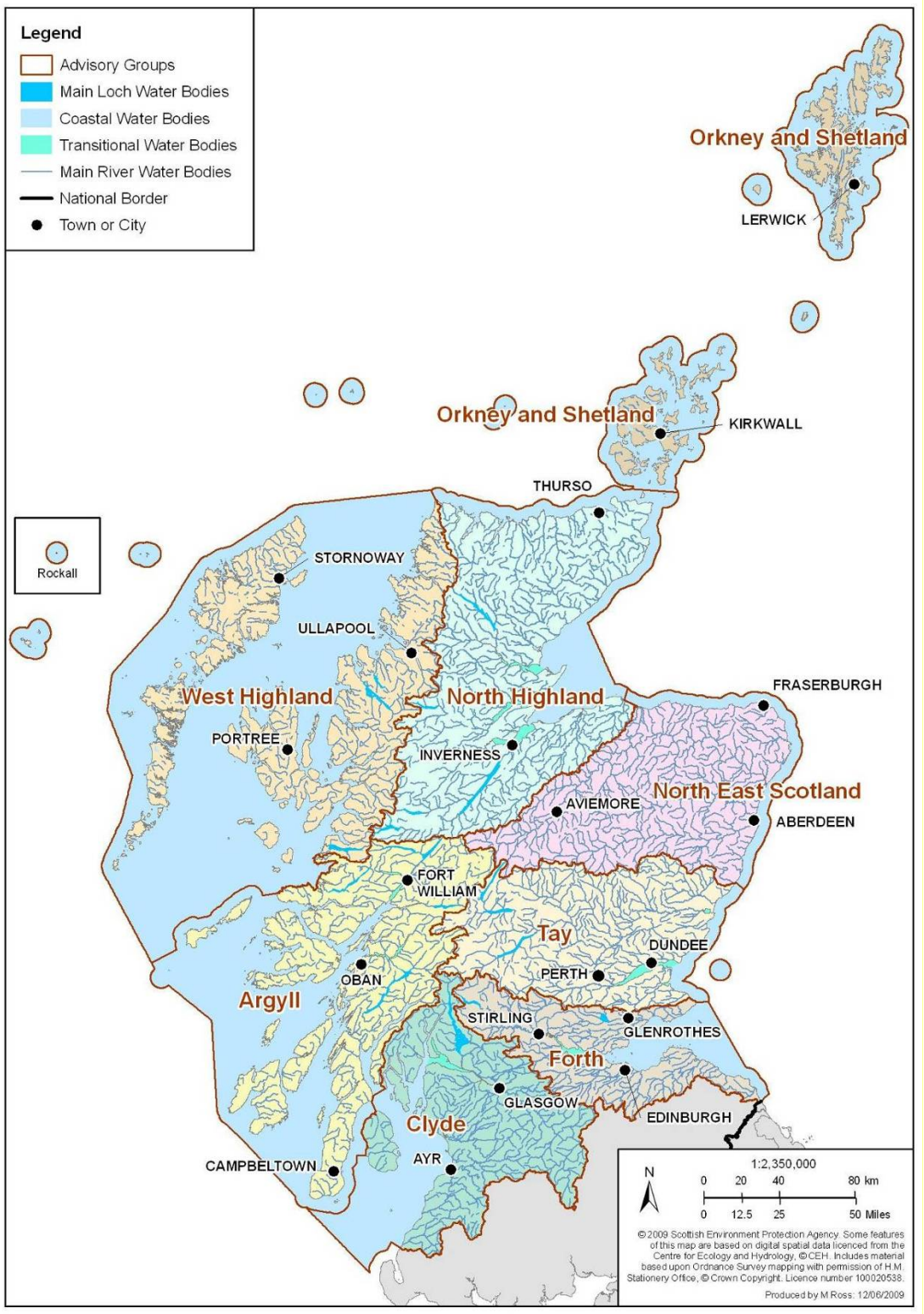
Scottish Ministers:
Water Framework Directive Team:
Scottish Government:

Water Division
Area 1-H (North)
Victoria Quay
Edinburgh EH6 6QQ

Scottish Environment Protection Agency (SEPA)
SEPA Corporate Office
Erskine Court
Castle Business Park
STIRLING
FK9 4TR

The geographical coverage of the Scotland river basin district (the Scotland RBD) served by the eight area advisory groups is shown in the map below.

Map 1: Scotland RBD



1 Legal status of competent authorities

The competent authorities for the Scotland River Basin District (Scotland RBD) are:

- Scottish Ministers;
- Scottish Environment Protection Agency (SEPA).

Scottish Ministers
Under Section 44 of the Scotland Act 1998, the Scottish Ministers comprise the First Minister, other Scottish Ministers appointed by the First Minister, the Lord Advocate and the Solicitor-General for Scotland. www.opsi.gov.uk/acts/acts1998/ukpga_19980046_en_1.htm

SEPA
SEPA is a non-departmental public body established by the Environment Act 1995. www.opsi.gov.uk/acts/acts1995/Ukpga_19950025_en_1.htm

1.1 Responsibilities of competent authorities

The legislation transposing the Water Framework Directive in Scotland, namely Part 1 of the Water Environment and Water Services (Scotland) Act 2003, requires Scottish Ministers and SEPA to exercise their functions under the Act and a range of other designated legislation so as to secure compliance with the requirements of the Directive.

In addition, Scottish Ministers and SEPA must:

- have regard to the social and economic impact of exercising their functions;
- where relevant, promote sustainable flood management;
- act in the way best calculated to contribute to the achievement of sustainable development;
- so far as practicable, adopt an integrated approach by cooperating with each other and designated responsible authorities[1] with a view to coordinating the exercise of their respective functions.

The Scottish Ministers may give directions and guidance to SEPA in relation to the exercise of SEPA's functions as a competent authority. SEPA must comply with any such directions and have regard to any such guidance.

The Scottish Ministers have additional specific responsibilities for:

- designating river basin districts;
- identifying bodies of water for abstraction for drinking water;
- approving (or seeking modifications of) river basin management plans.

SEPA has specific responsibilities for:

- characterising the Scotland RBD;
- establishing a Register of Protected Areas;

[1] SEPA and Scottish Ministers are assisted in delivering river basin management planning by a number of designated responsible authorities: http://www.opsi.gov.uk/legislation/scotland/ssi2008/ssi_20080263_en_1

- monitoring and preparing a monitoring programme;
- setting environmental objectives;
- preparing a programme of measures to achieve objectives;
- preparing river basin management plans and submitting them to Scottish Ministers;
- making key documents including river basin management plans accessible to the public;
- ensuring public participation.

SEPA is also the authority responsible for enforcing regulatory controls on a wide range of activities that impact on the water environment in Scotland under the Water Environment (Controlled Activities) (Scotland) Regulations 2005 and other secondary legislation.

The Scottish Ministers are the appellate authority under the 2005 Regulations.

For more details on the responsibilities of competent authorities please see the Water Environment and Water Services (Scotland) Act 2003 at:
www.sepa.org.uk/water/regulations.aspx

2 Membership

Not applicable.

(The Water Framework Directive requires us to record if a competent authority acts as a co-ordinating body for other competent authorities and, if so, what the membership of that group is).

3 Contact points and procedures

Details of the control measures adopted in accordance with Article 11(3)(g) and 11(3)(i) of the Water Framework Directive can be found in the *Water Environment (Controlled Activities) (Scotland) Regulations 2005: Policy Statement and Regulatory Impact Assessment* available on the Scottish Government's website[2].

Background documentation and information used for development of the Scotland RBMP and, in particular, actual monitoring data gathered in accordance with Article 8 and Annex V of the Water Framework Directive can be obtained from SEPA.

Much of the information held by SEPA can be accessed by going to its website[3]. If the required information is not published on the website, it can be requested by:

- emailing foi@sepa.org.uk;
- writing to Freepost RLRZ-XGXU-CJBZ, SEPA, Perth Office, 7 Whitefriars Crescent, Perth, PH2 0PA or any SEPA office;
- telephoning 08456 124 124 or any SEPA office;
- visiting any SEPA office.

[2] www.scotland.gov.uk/Publications/2005/05/0995747/57495
[3] www.sepa.org.uk

SEPA office opening hours are 9.00 – 5.00 Monday to Friday, except for Christmas, New Year, Easter and St Andrew's Day public holidays.

Further advice on the information SEPA can provide and how to obtain it is available on SEPA's website[4].

For specific queries on river basin management planning for the Scotland RBD please contact Katie Wilson who will co-ordinate a response:

Katie Wilson,
River Basin Planning Manager,
SEPA,
Rivers House
Irongray Road
Dumfries
DG2 0JE
Telephone: 01387 720502,
Email: rbmp@sepa.org.uk

Further information can also be found on the SEPA website at:
www.sepa.org.uk/water/river_basin_planning.aspx

[4] www.sepa.org.uk/about_us/access_2_information_enquiries/how_to_access_information.aspx