

Mowi Scotland Limited
Mowi Farms Office
Glen Nevis Business Estate
Fort William
PH33 6RX

Our Ref: [Redacted]

Your Ref:

If emailing, mark FAO:

[Redacted]

22 January 2025

Sent by email to: environment@mowi.com

Dear [Redacted]

Water Environment and Water Services (Scotland) Act 2003

The Water Environment (Controlled Activities) (Scotland) Regulations 2011 (As Amended)

Location: Ardgour (Linnhe) MPFF

Permit Reference: CAR/L/1009970

Subject: Assessment of Compliance with Permit Conditions

I am writing with reference to the self-monitoring survey of the Ardgour (Linnhe) marine pen fish farm site carried out on 30 October 2023 to assess compliance against the conditions of the above permit which is the subject of the attached report.

The non-compliance associated with Condition 7.2.2 relating to the survey being submitted 125 days (26 week reporting period used) out with the required submission period was reported separately in the letter dated 3 July 2024. It is acknowledged Mowi provided a response to this in the letter dated 13 September 2024.



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There were no other areas of non-compliance with respect to the conditions of the above permit identified by the assessment of the submitted survey report.

Although SEPA continues to assess compliance with permit conditions, we have ceased to apply our Compliance Assessment Scheme (CAS). The last year for which site level compliance was provided under this scheme was 2019. SEPA is currently in the process of developing a replacement for CAS. It will be known as the Performance Assessment Scheme. Summary information is provided in Annex 1 and further information, including FAQs, are available on our website <https://www.sepa.org.uk/regulations/authorisations-and-permits/performance-assessment-scheme/>

If you require any further information regarding the content of this letter or wish to discuss its content, please do not hesitate to contact myself on [Redacted] or at [Redacted]@sepa.org.uk.

Yours faithfully

Redacted

Encs: Ardgour (Linnhe) Marine Pen Fish Farm Monitoring Report N5240 Issue No 1

Annex 1: Developing a replacement to the 2009-2019 Compliance Assessment Scheme

Annex 1: Developing a replacement to the 2009-2019 Compliance Assessment Scheme

SEPA is developing a new approach to how we assess and publicly report compliance information. This approach will replace the 2009-2019 Compliance Assessment Scheme and will be known as the Performance Assessment Scheme.

How does this affect you now?

Compliance information we collect over the 2023/24 financial year will be used to inform a consultation during the 2024/25 financial year.

Feedback to this consultation will be used to finalise our approach. Our intention is to implement the new approach from 2025.

What information will SEPA collect over 2023/24?

- date compliance verification work was undertaken
- type of compliance verification work we undertook e.g. site inspection (announced or unannounced), remote review of operator submission
- compliance category assigned as a result of the verification – compliant, non-compliant, major non-compliant
- the high-level reason for non-compliance
- whether operator has an agreed improvement plan in place with SEPA (*only applicable to major non-compliant authorisations*)
- date operator rectified the issue as verified by SEPA (*only applicable to non-compliant authorisations*)

What is major non-compliance?

Major non-compliance represents what we consider to be the more significant type of non-compliance. The description of what we regard as draft major non-compliance can be found at https://www.sepa.org.uk/media/jjbjnh5l/major_non_compliance.pdf This will be subject to consultation in 2024/25.

How will the information be used to develop a Performance Assessment Scheme?

The Performance Assessment Scheme will be broader than simply whether or not an authorisation holder is fully compliant, non-compliant or majorly non-compliant with the conditions in their authorisation. It will likely factor in length of time in non-compliance, severity of the non-compliance, including impacts on people and the environment, how the operator responded to rectify a non-compliance, for example, through the implementation of an improvement plan. The onus is therefore on authorisation holders to remedy non-compliance as quickly as possible.

We propose to rate environmental performance as Good, Acceptable or Unacceptable. We recognise that in some instances an operator's environmental performance may be acceptable or even good, even when some non-compliance is recorded.

How will you communicate with me during the year?

We will endeavour to communicate the outcome of any compliance verification work swiftly. The outcome will be categorised in the following way: compliant, non-compliant or major non-compliant. This is not the Performance Assessment Scheme outcome. This will not be introduced until after the 2024 consultation.

The exception to this is remote assessments we undertake e.g. review of reports, data returns or discharge sampling to assess water quality. In general, we will only communicate the outcome of this type of compliance verification work where our assessment highlights non-compliance.

In cases where we attend your site, we aim to communicate non-compliances verbally on the day of the inspection and will follow-up in writing within 10 days. In cases where we remotely assess data the non-compliance will commence from the date that information was submitted to us and will end on the date you provide suitable evidence that compliance has been recovered.

What should I do now?

- Continue to take all necessary steps to comply with your environmental obligations
- If non-compliance is identified, then take all steps necessary to recover compliance as quickly as possible.

Further information, including FAQs, can be found on SEPA's website

<https://www.sepa.org.uk/regulations/authorisations-and-permits/performance-assessment-scheme/>