

SPSO decision report

Case: 201100943, Scottish Government
Sector: Scottish Government and devolved administration
Subject: policy/administration
Outcome: not upheld, no recommendations

Summary

Mr C, an MSP, complained on behalf of his constituent Mr A about the Scottish Government's (SG) Sea Eagle Management Scheme. He said that it failed to allow Mr A to adequately protect livestock from sea and/or golden eagles and to compensate for lost stock.

Our investigation found that the scheme (operated on behalf of the SG by Scottish Natural Heritage (SNH)) provides grants for measures to protect livestock from predation from sea eagles where there is known to be a nest site for a breeding pair of sea eagles within five kilometres of a croft, farm or other land used for livestock. Grants are paid in arrears for certain relevant work. Individuals or groups can make an application for funding and the money is paid on completion of the work. The scheme does not provide compensation for lost livestock.

Evidence provided by the SG showed that SNH did not have evidence of a nest site within qualifying distance of Mr A's croft. The nearest known nest site was some ten to eleven kilometres away. Mr A had suggested that there might be nests on platforms set up on private or Forestry Commission Scotland land nearer to Mr A's croft but SNH were not aware of any such sites. They had asked Mr A to provide them with information about any nests that he knew of but he did not appear to have done so.

SNH said that there were known to be two successfully breeding pairs of golden eagles within five kilometres of Mr A's croft but that the scheme did not cover these birds. SNH had offered to send a vet, at no cost to Mr A, to examine any carcasses to try to establish if the predation was from sea or golden eagles or other predators such as foxes or ravens but he had declined. They had also offered to send an officer to advise Mr A on the measures he could take to protect his livestock but again he declined. We found, therefore, that the SG had made reasonable efforts to assist Mr A and that they had acted

appropriately. We did not find any evidence of maladministration or service failure.

We found that it was clear that the scheme does not provide compensation for lost livestock. It is for the SG to decide whether or not a compensation scheme should be available, and we are not an appeal body for their decisions. We were not able to reach a decision on this aspect of the complaint.