

SPSO decision report

Case: 201806100, Scottish Environment Protection Agency
Sector: Scottish Government and Devolved Administration
Subject: policy / administration
Decision: not upheld, no recommendations

Summary

C complained to us about the actions of the Scottish Environment Protection Agency (SEPA) in relation to a site near their home. They said that SEPA failed to adhere to their guidance in relation to the information required to carry out a risk assessment for the site. We found that SEPA were entitled to reach an initial decision that no further assessment was required on the site based on the information they held at that time. There was no evidence that they did not adhere to their guidance in relation to the matter and we did not uphold the complaint.

C also complained that SEPA failed to ensure that adequate site investigations were carried out for the site and that they took into account unreliable information. We found that the decisions made by SEPA, based on additional information that had been provided to them and on a basis of a site visit, were decisions that they were entitled to take. We did not uphold this complaint. However, we found that SEPA should have informed C that they were unable to open the videos/photos that C submitted. We provided feedback to SEPA about this matter.