



Office for  
Environmental  
Protection

# Complaints Report

Office for Environmental Protection

1 April 2025 - 30 June 2025



# Our approach

## Our complaints process

We process complaints through a staged procedure - **receipt**, **eligibility check**, and **assessment**. This method and any decisions we make, are based on the Strategy and Enforcement Policy of the Office for Environmental Protection, the latest version was published in November 2024.

## Complaint eligibility

The OEP can only legally consider complaints that meet the six criteria stated in the Environment Act 2021, unless there is an exceptional reason to waive them. We refer to these criteria as our eligibility criteria. If any of these six criteria are not met in a complaint that we receive, we will communicate with the complainant to explain why we cannot progress their complaint.

## Signposting

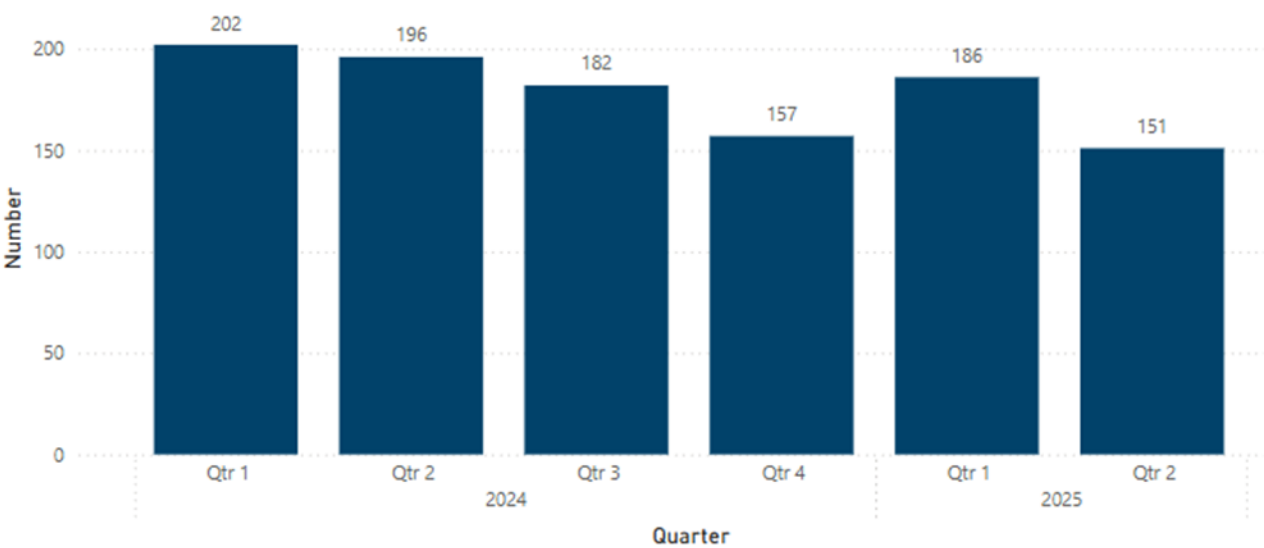
In many instances we signpost members of the public to the most appropriate public authority to either raise an initial complaint or exhaust the complaints procedure. We do this to ensure the relevant public authority is provided with the opportunity to assess and respond to matters initially. We also signpost to other organisations if the matter raised would be more appropriately dealt with elsewhere. To assist with this process, we provide a list of useful contacts on our website.

## Working with others

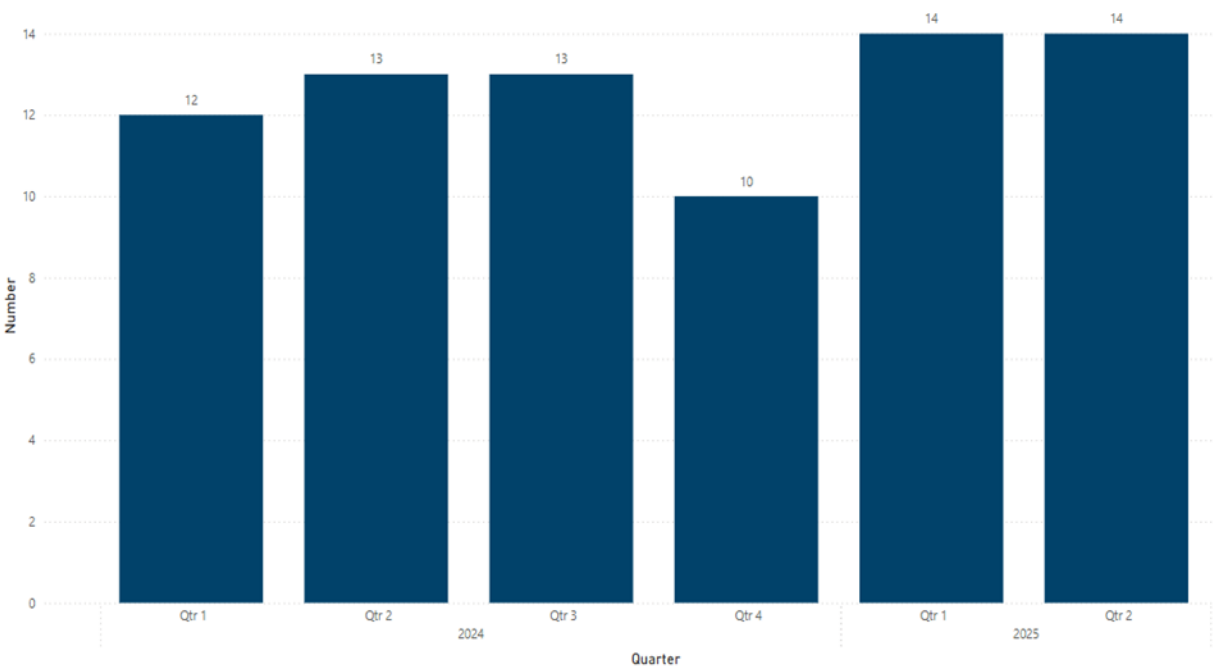
We recognise the importance of engaging with a variety of stakeholders. These include government bodies and non-departmental bodies. We also communicate with Non-governmental Organisations, community groups, and industry practitioners. We have Memorandums of Understanding (MOUs) with the Climate Change Committee, the Local Government and Social Care Ombudsman, the Parliamentary and Health Service Ombudsman, Environmental Standards Scotland and the Interim Environmental Protection Assessor for Wales.

# Enquiry and complaint volumes

Enquiries received per quarter since January 2024



Complaints received per quarter since January 2024



# Enquiries key statistics

During quarter two of 2025 we received a total of 151 enquiries with 40 in April, 53 in May and 58 in June. This is a slight decline comparing to previous quarters.

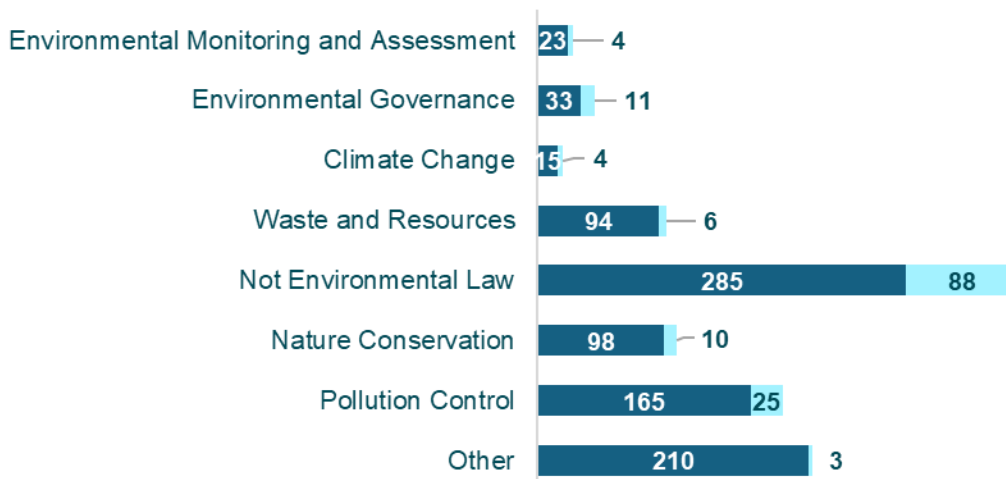
## Enquiry Outcomes in Quarter Two



During quarter two the highest proportion of enquiries were general non-complaint specific enquiries, 42 in total. We also signposted 69 customers to local and public authorities and other organisations, as their queries were not covered by our remit.

## Enquiries by Topic

- Enquiries received between January 2024 to March 2025
- Enquiries received between April to June 2025 Q2

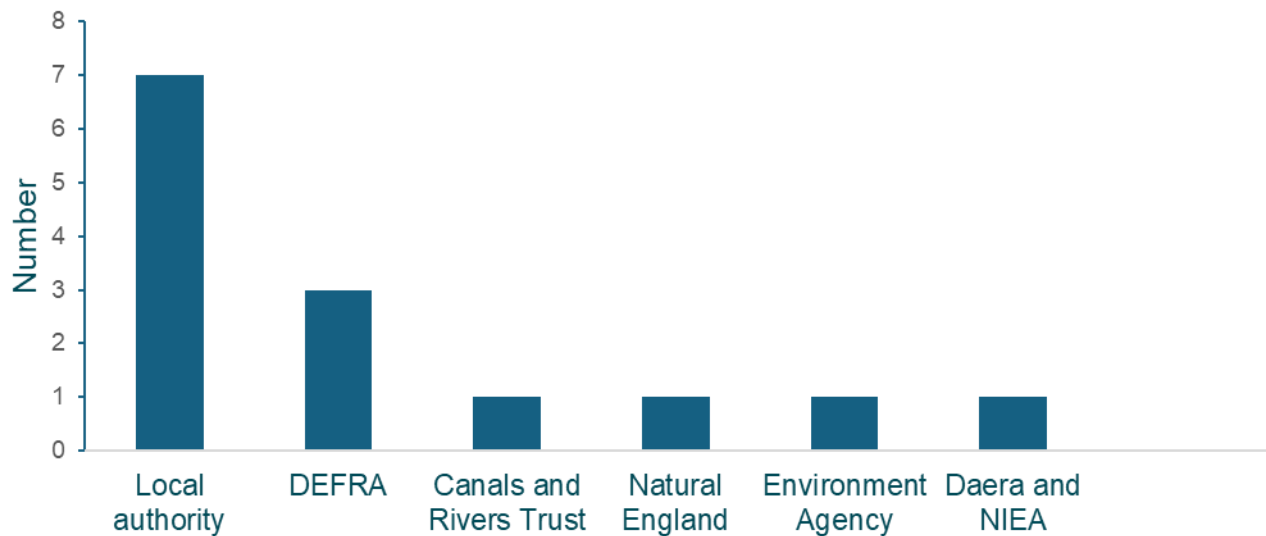




# Complaints key statistics

During quarter two of 2025 we received a total of 14 complaints with five complaints received in April, three complaints received in May, and six complaints received in June.

Authorities mentioned in April- June 2025



## Public Authorities

Of the complaints received in quarter two of 2025 we received seven about local authorities. We had three about Defra and one each about the Canals and Rivers Trust, Natural England, Environment Agency and Daera/ NIEA.

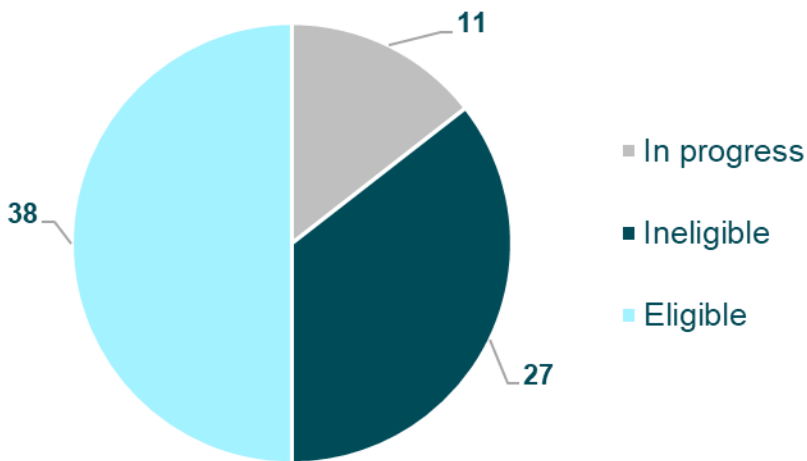
Category of complaints submitted since January 2024

Environmental Category	% of complaints where category mentioned
Nature conservation	34%
Pollution control	26%
Waste and resources	20%
Not environmental law	9%
Environmental governance	4%
Environmental monitoring and assessment	3%
Other	3%
Climate Change	1%

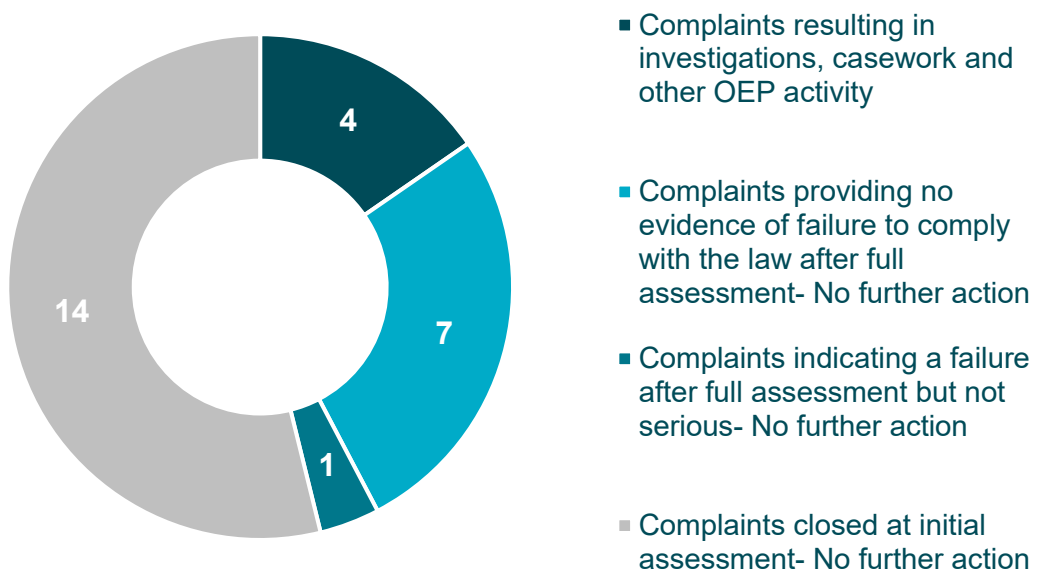
# Complaint eligibility and outcomes

By 30 June 2025, we determined that 27 of the 76 complaints received by the OEP since January 2024 did not meet the eligibility criteria outlined in the Environment Act 2021. The primary reason (in 44% of cases) for ineligibility was failure to complete the public authority complaints process. We concluded 26 assessments in relation to eligible complaints since January 2024.

## Eligibility statuses of complaints since January 2024



## Assessment outcomes for eligible complaints since January 2024



# New enforcement activity and outcomes

Between 1 April and 30 June 2025, the OEP launched no new investigations. We completed two assessments which both led to interventions and had an update on an existing intervention.

## **Ongoing Investigations**

- **Possible failures by Defra and the Environment Agency to comply with key laws to protect and improve water quality**
- **Investigation into Defra's duty to achieve Good Environmental Status in the marine environment**
- **Lawfulness of government guidance on water pollution from agriculture**
- **Emergency Authorisations for neonicotinoid pesticide use**
- **Classification and adaptation of Special Protection Areas (Northern Ireland)**
- **Classification and adaptation of Special Protection Areas (England)**
- **Regulation of combined sewer overflows (CSOs)**

## **Intervention/early resolutions**

As a small organisation with a wide remit, it would not be possible or appropriate for us to investigate every eligible complaint that we receive. Furthermore, while the OEP has formal investigation and enforcement powers, these measures may not always represent the most effective means of resolving non-compliance.

Our assessment process is designed to prioritise formal investigation and enforcement action according to how large an effect our action could have, how likely we are to have that affect, whether it is a strategic fit for the organisation and our capacity and capability to deliver.

As part of the assessment process, we will evaluate the substance of a complaint to determine whether there is scope to resolve instances of non-compliance through alternative means such as co-operation, dialogue and agreement with public authorities.

In certain cases, resolving non-compliance through alternative means may achieve many of the same outcomes associated with formal investigation or enforcement but in a much shorter time frame.

If evidence suggests that we can achieve compliance through alternative means and without formal enforcement, we will consider that approach where appropriate. This could involve us pursuing what we would describe as an intervention, where we may ask the relevant public authority to take certain actions with us monitoring their compliance.

Where we take this approach, we endeavour to publish our activity on our website, which can be found here: [Investigations | Office for Environmental Protection \(theoep.org.uk\)](https://theoep.org.uk/investigations)



## **Intervention/early resolutions – April- June 2025**

### **CMS 590 Delay to publishing IEPR (April 2025)**

We received a complaint from Green Alliance alleging that Defra had failed to publish a report on the “Developments in International Environmental Protection” in accordance with Section 21 of the Environment Act. The first reporting period ran from the 1 April 2022 until 31 March 2024. We engaged in constructive dialogue with Defra to understand the reason behind delays and sought reassurances that the report would be prioritised in line with legal requirements. On 28 April Defra advised us that the report was approved and subsequently published on 29 April.

### **CMS 554 Compliance with Air Quality Standards Regs (2010) (May 2025)**

We assessed a complaint and associated historic EU infraction cases in relation to reported exceedances of legally binding nitrogen dioxide air pollution limit values in England. We concluded that there may be ongoing serious failures to comply with environmental law. However, we do not consider use of our enforcement functions would result in more rapid progress as we found that national compliance trends are improving, and remaining reported exceedances are relatively isolated. We sought and received assurances that there are processes in place to address and monitor remaining exceedances. We agreed with Defra that we will continue to monitor the progress of the Joint Air Quality Unit and the Secretary of State in relation to this matter and scrutinise whether work is being effectively undertaken to close the remaining gaps in the implementation of the Government’s 2017 plan for tackling roadside NO<sub>2</sub> concentrations. As part of our broader work programs, we will also continue to track and report on progress towards NO<sub>2</sub> concentration limit values under the AQS Regulations, as well as NO<sub>x</sub> emission reduction commitments under the National Emission Ceilings Regulations 2018, within the framework of our Environmental Improvement Plan progress reporting.

## **Intervention/early resolutions – April- June 2025**

### **CMS 372 Abstraction and licensing in the River Crumlin (Update June 2025)**

In January 2024 we agreed an intervention with NIEA and Inland Fisheries to a program of monitoring in relation to alleged failures to determine and subsequently enforce water abstraction applications, and failures to effectively monitor compliance with the Fisheries Act.

NIEA have submitted an [update](#) to their proposed action plan, illustrating progress in prioritising and determining outstanding licenses.

Inland Fisheries also advised that since our intervention, they have drafted a new aquaculture policy aimed at modernising the current regulatory framework and streamlining the licensing process. They have set out a plan consult on, and subsequently transition to the new approach, as well as engaging stakeholders and reviewing current licenses.

If adopted this reform could secure better regulation and improved environmental protections beyond what we aimed to achieve through this intervention and shows the positive impact that ongoing engagement can have following the closure of complaints.

# Horizon scanning

The Complaints and Investigation team service a wide range of enquiries and complaints. We have identified the following topics that are currently undergoing further consideration:

## Summary

### **Northern Ireland – Nutrient Action Programme**

We are considering any potential failures to comply in relation to the regulation of nitrogen/phosphorus inputs into freshwater/coastal protected sites along with wider regulations relating to nutrients.

### **Northern Ireland- Water**

We are undertaking an assessment of legal duties and compliance with the Urban Wastewater Treatment Directive and related domestic legislation.

### **Necessary Conservation Measures**

We are considering the legal duties under the Conservation of Habitats and Species Regulations 2017 (Habitats Regulations) to establish “necessary conservation measures” for the features of Special Areas of Conservation (SACs) once they have been designated.

### **Assessment of our water report compliance**

We are continuing to review the potential compliance issues identified in the OEP’s Northern Ireland water report, and the subsequent responses received. We will assess these issues in accordance with our seriousness and prioritisation matrix set out in the OEP strategy and enforcement policy to determine next steps.

### **Monitoring of compliance with statutory deadlines**

We are continuing to monitor and review our approach in relation to a number of missed statutory deadlines, including requirements under the Climate Change Act 2022.

## More Information

For more information about our complaint procedure and definitions, please visit our website: [www.theoep.org.uk](http://www.theoep.org.uk)

To follow us on social media, please visit: <https://x.com/OfficeforEP>