



Office for
Environmental
Protection

Complaints Report

Office for Environmental Protection

1 October 2025- 31 December 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

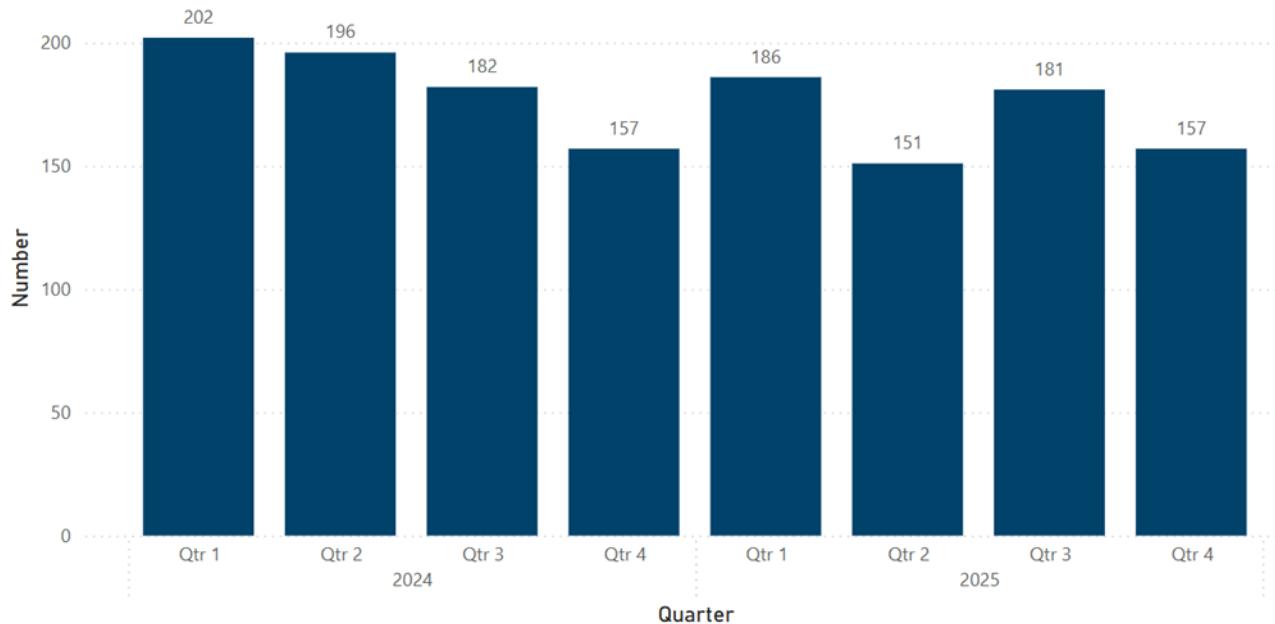
In many instances we signpost members of the public to the most appropriate public authority to either raise an initial complaint or exhaust the complaints procedure. We do this to ensure the relevant public authority is provided with the opportunity to assess and respond to matters initially. We also 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

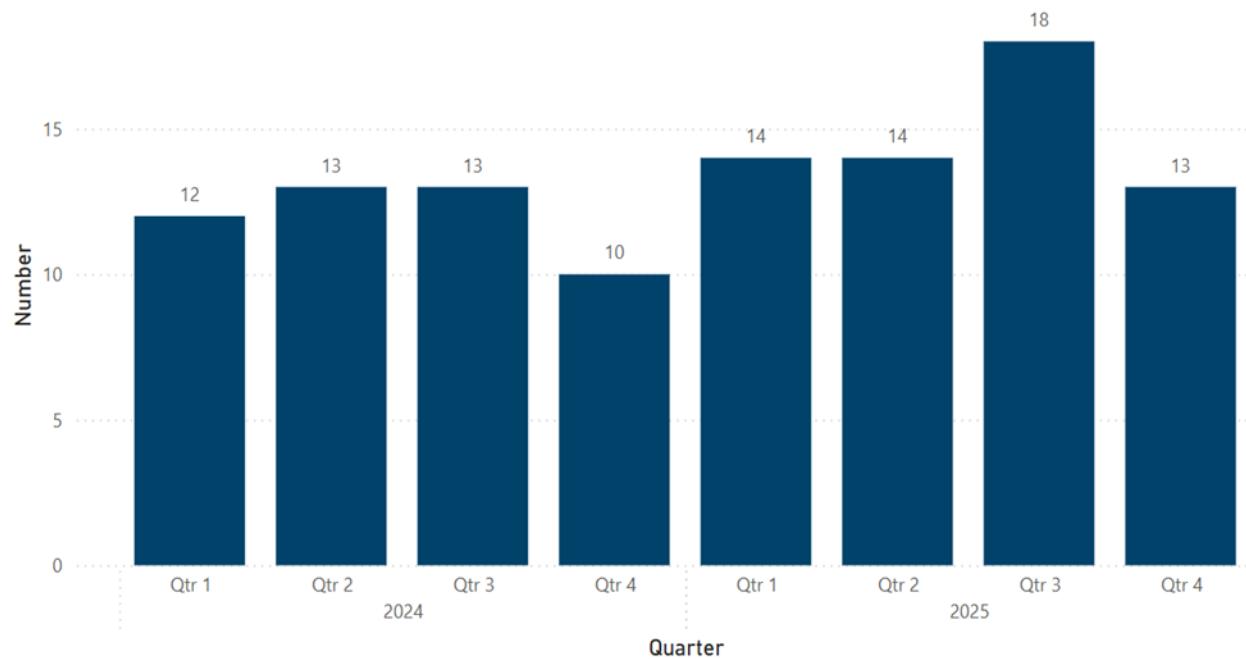
We recognise the importance of engaging with a variety of stakeholders. These include government bodies and non-departmental bodies. We also communicate with Non-governmental Organisations, community groups, and industry practitioners. We have Memorandums of Understanding (MOUs) with the Climate Change 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

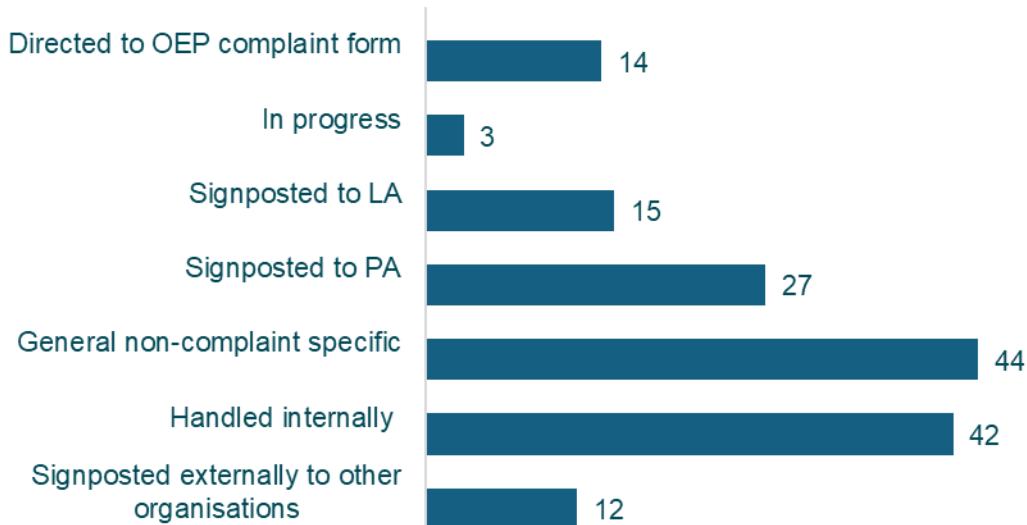


Complaints received per quarter since January 2024



Enquiries key statistics

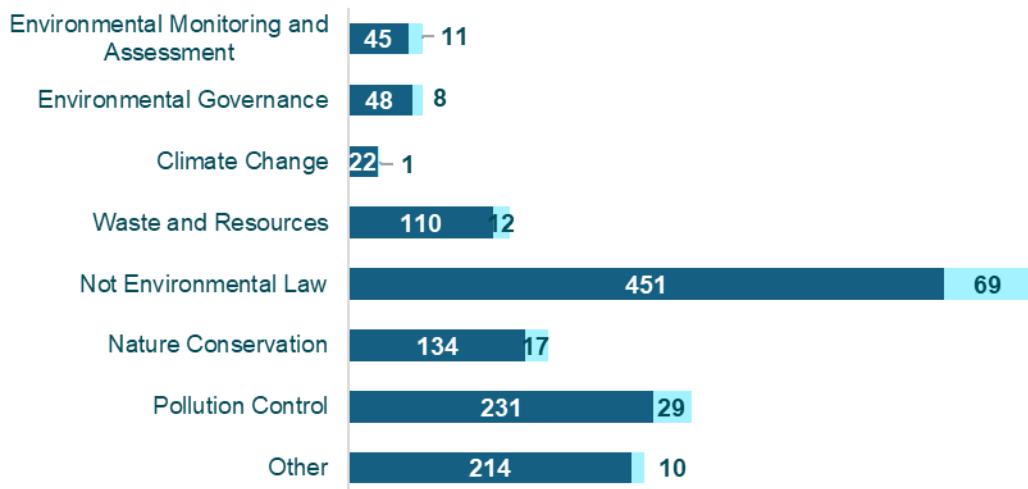
Enquiry Outcomes in Quarter Four



During quarter four the highest proportion of enquiries were general non-complaint specific enquiries, 44 in total. We also signposted a total of 54 customers to local and public authorities and other organisations, as their queries were not covered by our remit.

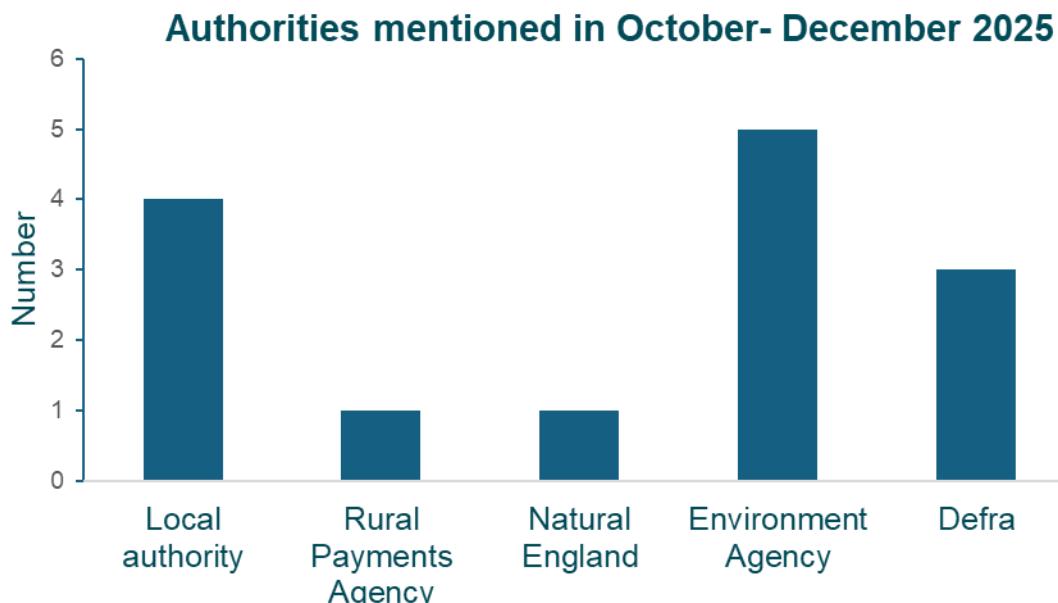
Enquiries by Topic

- Enquiries received between January 2024 to September 2025
- Enquiries received between October to December 2025 Q4



Complaints key statistics

During quarter four of 2025 we received a total of 13 complaints with six complaints received in October, four in November, and three complaints received in December.



Public Authorities

Of the complaints received in quarter four of 2025 we received four about local authorities, we had five about the Environment Agency and three about Defra. We received one complaint that mentioned the Rural Payments Agency and Natural England.

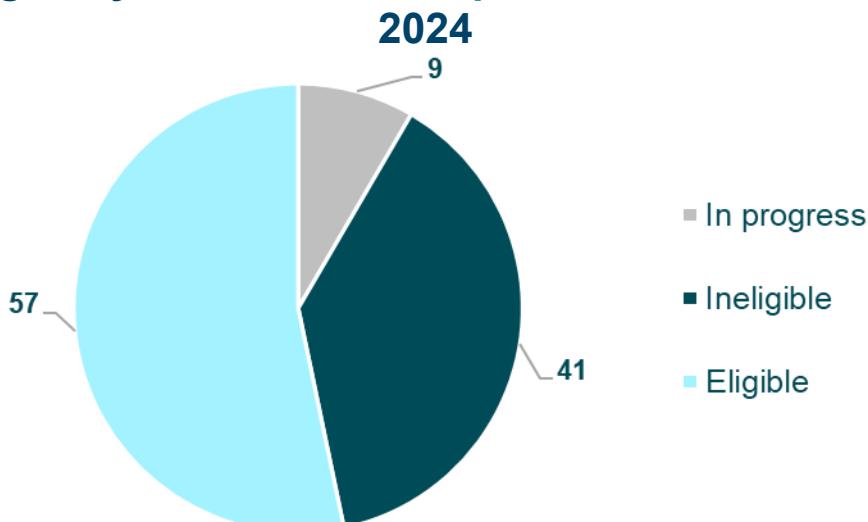
Category of complaints submitted since January 2024

Environmental Category	% of complaints where category mentioned
Nature conservation	33%
Pollution control	28%
Waste and resources	19%
Environmental monitoring and assessment	9%
Not environmental law	7%
Environmental governance	2%
Other	2%
Climate Change	1%

Complaint eligibility and outcomes

By 31 December 2025, we determined that 41 of the 107 complaints received by the OEP since January 2024 did not meet the eligibility criteria outlined in the Environment Act 2021. The primary reason (in over 59% of cases) for ineligibility was failure to complete the public authority complaints process. We concluded 54 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 October and 31 December 2025, the OEP launched one new investigation, closed two investigations, and completed one intervention/early resolution.

New Investigation

Investigation into the Department for Infrastructure (DfI), the Department of Agriculture, Environment and Rural Affairs (DAERA) and the Utility Regulator over the regulation of sewage discharges into Belfast Lough.

This self-initiated investigation was launched in November 2025 to determine whether these authorities have failed to comply with environmental law in their respective duties in regulating how untreated wastewater, that includes raw sewage, is discharged into Belfast Lough and its surrounding rivers. More information is available [online](#).

New Interventions/early resolutions

Compliance with Environmental Permitting Regulations 2016

Actions following a complaint from a member of the public regarding the Environment Agency's compliance with duties under the Environmental Permitting Regulations (EPR 2016) in relation to the regulation of a specific landfill and the mechanisms for managing financial provision funds.

Our assessment determined that there is an indication that there may have been one or more potential serious failures to comply with environmental law. As a result of our engagement, the EA have now agreed to produce a detailed action plan looking at guidance, mechanisms for financial provision and reviewing how they regulate financial provision. Further details can be found in our published [case summary report](#).

New enforcement activity and outcomes

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)

New enforcement activity and outcomes

Closed Investigations

Regulation of Combined Sewer Overflows (CSOs)

The complaint originated from Salmon and Trout Conservation and led to the investigation into the roles of Ofwat, the Environment Agency and the Defra in the regulation of CSOs in England.

Our investigation found that there had been failures to comply with environmental law by each of the three public authorities relating to the regulation of network CSOs. Decision notices were issued to them setting out the actions required to address the non-compliances. We welcomed responses from them which showed positive action to address the concerns raised and significant progress being made. The investigation was formally closed on 11 December 2025. More information is available [online](#).

Investigation into lawfulness of government guidance on water pollution from agriculture

Originating from WWF and Client Earth, the investigation looked at how Farming Rules for Water aim to prevent agricultural pollution by requiring farmers to plan fertiliser and manure use, so it matches crop and soil needs. Defra issued Statutory Guidance in 2022, but part of Section 2.2 conflicted with regulation 4(1)(a)(i) and appeared to encourage non compliance. The investigation launched in November 2024.

Defra conducted a rapid review in November 2024 and later published revised Statutory Guidance in June 2025. On 9 October 2025, the OEP concluded its investigation, finding that Defra had failed to comply with environmental law from March 2022 until the guidance was amended in June 2025. The updated guidance now addresses the legal issues. The OEP made further recommendations to Defra to improve clarity for land managers and to publish the overdue Post Implementation Review promptly. More information is available [online](#).

Ongoing enforcement activity

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
- Defra's Emergency Authorisations for neonicotinoid pesticide use
- Daera's obligations in relation to the classification and adaptation of Special Protection Areas (Northern Ireland)
- Defra and Natural England's obligations in relation to the classification and adaptation of Special Protection Areas (England)

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 – Nutrients

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.

Assessing effects of ammonia pollution on protected sites

We are assessing how public authorities in England assess the impact of atmospheric nitrogen pollution on protected sites such as Special Conservation Areas, Special Protection Areas, Ramsar sites, and Sites of Special Scientific Interest.

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

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