

**From:** [REDACTED]  
**To:** [REDACTED]  
**Subject:** case ref IESS.022.013  
**Date:** 20 July 2022 10:07:00  
**Attachments:** [image001.png](#)  
[image002.png](#)

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Dear [REDACTED], thank you for taking the time to speak with me in respect of your representation.

During our conversation I explained the role of ESS is to monitor and investigate public authorities' compliance with, and the effectiveness and implementation of, environmental law. I also explained that our remit does not extend to considering decisions taken by public authorities in respect of an individual person or case. Essentially, this exclusion is in place to avoid ESS becoming an appeal body for individual decisions and to respect and avoid any overlap with other oversight bodies or appeal structures. What this means is that, in terms of your concerns over the upcoming planning decision, we cannot intervene. I noted that, notwithstanding this, the planning decision has yet to be taken so the eventual outcome is unknown.

In respect of your concerns over the Council's failure to deal with your previous correspondence satisfactorily, I explained that the relevant oversight body for this type of concern is the Scottish Public Services Ombudsman (SPSO). Before approaching the Ombudsman, you should first make a complaint to Argyle and Bute Council. Public authorities are generally expected to deal with complaints within 20 working days. If you remain dissatisfied with the Council's response you can at that point contact SPSO. More information on the role of SPSO can be found at ([www.spsso.org.uk](http://www.spsso.org.uk)).

I appreciate that this may not be the response you were hoping for when you first contacted us; however, I would like to take this opportunity to thank you for your time in submitting your representation to ESS and I can confirm that what you have told us will be held to help us in our wider monitoring role. Lastly, if you have any queries or require further clarification on any of the above, please do not hesitate to get in touch.

Kind regards

[REDACTED]

[REDACTED]  
Head of Investigations, Standards and  
Compliance  
[REDACTED]

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