

## SPSO decision report

**Case:** 201406306, Scottish Natural Heritage  
**Sector:** Scottish Government and devolved administration  
**Subject:** policy/administration  
**Outcome:** not upheld, no recommendations

### Summary

Mr C complained about a decision Scottish Natural Heritage (SNH) had made about the steps he could take to control animals on his land. His concern was that animals were causing damage and, while SNH permitted him to cull a specific number of them, he was unhappy that they restricted this number. Mr C felt SNH had been more concerned about being seen to have taken a balanced approach than by making an evidence-based decision (SNH had explained to Mr C that they have a duty to take a balanced approach to such matters).

We considered whether there was maladministration in SNH's decision-making process. Their guidance explained that they had to take a balanced approach and pointed to the various factors they were to consider. Although Mr C felt they had not taken specific concerns into account, SNH's guidance explained that it was not for SNH to be experts in the areas he had pointed to. As a result, the evidence showed that they had considered the relevant factors in reaching their position and there was fundamental disagreement with Mr C about their decision.

While we recognised that this was an important matter for Mr C, and that he was fully entitled to disagree with SNH, we considered the evidence indicated that they had made a decision they were entitled to have made. As there was no maladministration, we did not uphold Mr C's complaint.