

SPSO decision report

Case: 201103659, Aberdeenshire Council
Sector: local government
Subject: parking
Outcome: some upheld, no recommendations

Summary

Mr C is a holder of a disability blue badge, and had applied to the council for a disabled parking bay to be marked out in front of his home. The council had also just received a similar request from a blue badge holder in the house opposite. The area committee agreed that both bays should be placed on the street, but on the opposite side to Mr C's home. Mr C was not happy with the council's consideration of that request. He complained to us and we gave our decision (201000579) in 2011. We made six recommendations, including that the council should provide the committee with a new report on the two applications. The area committee reconsidered the matter in September 2011 and agreed that the issue should be the subject of a Road Traffic Regulation Order (RTRO) consultation.

After the consultation, the committee confirmed that both parking bays should be marked out on the opposite side of the street. Mr C had, meanwhile, again complained to the council and to us about the process under which his request was being considered. His complaint to us contained five elements; that since our previous decision was issued, the council had failed to deal appropriately with his application; that the second report prepared for the area committee was not fit-for-purpose and misled the committee; that his complaints to the council were not investigated appropriately, and they did not answer his complaints satisfactorily; and that the council made unsubstantiated accusations and allegations against Mr C and his wife, and gave them no right to refute or rebut these.

As we considered that the council had complied with our previous recommendations by October 2011, we did not uphold Mr C's first complaint. Our investigation found that the report to the area committee was fit-for-purpose but that it did mislead with regard to the circumstances of the other applicant. We did not uphold the remaining three complaints, as we did not find any fault in the way the council dealt with these issues.