

SPSO decision report



Case: 201706064, Stirling Council
Sector: Local Government
Subject: unauthorised developments: enforcement action/stop and discontinuation notices
Decision: upheld, recommendations

Summary

Mr C complained that the council failed to take appropriate planning enforcement action within a reasonable timescale in relation to work undertaken near his home.

We took independent advice from a planning adviser. We found that there were failings in the enforcement process, including unreasonable delays and unexplained inaction at certain points. Therefore, we upheld this aspect of Mr C's complaint.

Mr C also complained that the council failed to respond reasonably or appropriately to the concerns he raised about the work carried out. We found that the content of the council's responses to Mr C's enquiries were broadly reasonable and factual. However, we identified several examples of Mr C's correspondence not being responded to in a timely manner, or at all. Therefore, we upheld this aspect of Mr C's complaint.

Recommendations

What we asked the organisation to do in this case:

- Apologise to Mr C for the failings identified in this report. The apology should meet the standards set out in the SPSO guidelines on apology available at www.spsso.org.uk/information-leaflets.

What we said should change to put things right in future:

- Correspondence relating to planning enforcement matters should be responded to within a reasonable timescale.
- Enforcement action should be carried out in an efficient and timely manner, allowing for individual circumstances on a case-by-case basis.

We have asked the organisation to provide us with evidence that they have implemented the recommendations we have made on this case by the deadline we set.