

SPSO decision report

Case: 201000434, North Lanarkshire Council
Sector: local government
Subject: development plans; consultation
Outcome: not upheld, recommendations

Summary

Mr C, a member of a local community forum, raised concerns about how the council handled a consultation about the proposed development of land through their draft Local Plan. He and others felt that the community forum had been excluded and that communities bordering the proposed development site had not been meaningfully involved. They also said the council mishandled the process by not providing clear proposals, not recognising the true number of individual objectors and not complying with statutory requirements about public notices.

We did not uphold any of these complaints. We recognised that local people felt very strongly about the proposals, which created a swathe of new housing that people felt would connect separate existing communities. Residents in local villages were concerned about the effects of this and the loss of village status. However, it was not for us to decide whether the council broke the law or to question the professional judgement of their planning officers. Our focus was on administrative processes, and whether the council followed them properly and acted reasonably. We obtained advice from our professional planning adviser about relevant legislation and good practice. He said that the council acted reasonably during the process, giving reasonable explanations for their actions when Mr C complained. They might have done more to ask the community forum for their views, and provide information to committee members about a survey carried out by the forum. However they had received comments from a number of sources and held public meetings, though not all of these were well attended. Our adviser also said that some of the documents on which Mr C based his concerns were not relevant to the consultation. In the circumstances, we made one recommendation about objection letters.

Recommendations

We recommended that, for the avoidance of doubt, the council amend their guidance notes on the form for formal objection and representation of support to say that only the signatory to the form will be formally registered as an objector; and explain why.