

SPSO decision report

Case: 201100846, South Ayrshire Council
Sector: local government
Subject: policy/administration
Outcome: not upheld, no recommendations

Summary

Mr C objected to a planning application being considered by the council. A letter advising him of the regulatory panel meeting that would decide the application and at which he could have the opportunity to present his objection was sent to him 14 days before that meeting. He received the letter the following day. He complained that this meant the council had not followed their own procedures for giving notice of such meetings to objectors. The council advised him that their procedures state that notification will be sent at least 14 days in advance and this was followed.

Mr C complained to SPSO that the fact that he received notice 13 days in advance of the meeting was contrary to procedures and made the meeting (at which he spoke) invalid. He felt that because the documents associated with the application were extensive, objectors should have been given longer than the 14 days set out in the council's procedures.

Our investigation concluded that the council's procedures clearly stated that notification must be sent at least 14 days in advance of a hearing, not that objectors must receive that notification at least 14 days in advance. As a result we could see no evidence of the maladministration or service failure that Mr C alleged and did not uphold the complaint.

When this report was first published on 21 September 2011, it was incorrectly categorised as being about West Lothian Council. This was due to an administrative error which we discovered on 22 September 2011, and for which we apologise.