

## SPSO decision report

**Case:** 201103618, Fife Council  
**Sector:** local government  
**Subject:** complaints handling  
**Outcome:** some upheld, action taken by body to remedy, no recommendations

### Summary

Mr C raised a complaint about the council's handling of a cement batching plant at a quarry. In particular, Mr C complained that the cement batching plant had changed from being an ancillary operation at the quarry to a mainstream operation and that the council had failed to require the operator of the quarry to obtain planning permission. Mr C also said that the council had failed to monitor lorry traffic to and from the quarry, and was unhappy with the council's handling of his representations.

During our investigation of the complaint the council explained that, having carried out inspections at the quarry, they were satisfied that the operation remained an ancillary operation. As we found no evidence that anything had gone wrong in reaching that decision, we could not challenge this and did not uphold the complaint. Similarly, the council explained that they were not required by any planning condition to monitor the movement of vehicles to and from the quarry.

On the matter of complaints handling, we were satisfied that the council responded to the issues raised, but found that they had failed to handle Mr C's complaint in line with their complaints procedure for which they had apologised. We, therefore, upheld this complaint, but made no recommendation.