

## SPSO decision report

**Case:** 201003119, Clackmannanshire Council  
**Sector:** local government  
**Subject:** council information to Scottish Parliament  
**Outcome:** not upheld, no recommendations

### Summary

In 2002 the council promoted the Stirling-Alloa-Kincardine Railway and Linked Improvement Bill as an item of private legislation to the Scottish Parliament. Mr C attended public meetings and objected to the bill. He complained that during the consultation period the council failed to include full relevant information about the times and frequency of freight trains on the line.

Our investigation found that it was clear that an environmental impact report prepared and submitted to the Scottish Parliament was based on the expectation that there would be no night time trains. It was also, however, clear that the hours of operation of the line when re-opened could not be controlled by the Scottish Parliament or the council and that the council had pointed this out to the bill committee while the bill was being considered.

We did not uphold the complaint as we found no evidence suggesting that the council withheld information of which they were aware or deliberately sought to mislead residents or the Scottish Parliament.