

SPSO decision report

Case: 201202968, A Council
Sector: local government
Subject: policy/administration
Outcome: some upheld, recommendations

Summary

Mr C attended a community consultation session about a town centre regeneration plan. He later complained that a council officer did not include his comments in a summary document. Mr C also questioned the motives behind the officer's decision not to include his comments. After complaining to the council, he approached us with his concerns about the length of time they took to respond to his complaint, the fact that they referred to his role as a newly elected member of the council and because in their final response they did not give him details of his right to bring his complaint to us. The council had explained to Mr C that the officer felt that the comments did not contribute to the consultation, either in a positive or negative way, and that this was why they were not included. Mr C pointed out that the council had included other comments which could also not be considered to contribute in any way to the exercise.

Our investigation reviewed the supporting documentation, and found no evidence to suggest that the council's decision not to include the comments was unreasonable. However, we did agree with Mr C that other comments which were included in the summary document could not be said to have contributed to the consultation and we noted that this could lead to a perception of bias. However, Mr C did not suffer any injustice in terms of having his views heard as his comments, in full, were presented to the planning committee, and he had further opportunities to comment before the planning application was considered. We did not, therefore, uphold this aspect of the complaint.

We did uphold his complaint about the time the council took to respond to his complaint, and their failure to provide referral rights to us. We noted, however, that the council were correct to point out that a change of status to councillor would change the relationship with the council and its officers, and would have an impact on how they examine a complaint such as this.

Recommendations

We recommended that the council:

- write to Mr C to apologise for the delay in responding to his complaint.