

SPSO decision report

Case: 201404399, East Renfrewshire Council
Sector: local government
Subject: parking
Outcome: some upheld, recommendations

Summary

Mr C, a solicitor, complained on behalf of his client (Mr A) that the council had failed to adequately consider Mr A's request for a disabled person's parking bay. We found that the council had adequately considered Mr A's application and had considered both his own and his wife's medical circumstances. The decision to refuse the application because a disabled person's parking bay had already been installed at the rear of Mr A's property was a decision that the council were entitled to take. In view of this, we did not uphold the complaint.

That said, Mr C also complained about how Mr A had been notified of the decision on his application. The council's process for applications for a disabled person's parking bay clearly states that the council should advise the applicant in writing that either the request has been forwarded to the roads service for consideration or that the applicant does not meet the criteria. The council had referred Mr A's application to their roads service for consideration, but they had failed to notify Mr A of this in writing in line with their process. The council had then phoned Mr A to tell him that they had refused his application, but there was subsequently some confusion for both Mr A and the council about whether a decision had in fact been made. In view of this, we upheld this complaint.

Recommendations

We recommended that the council:

- take steps to ensure that applicants for a disabled person's bay are notified in writing that either the request has been forwarded to the roads service for consideration or that they do not meet the criteria;
- consider whether the procedure should be amended to state that applicants should be notified of the final decision in writing; and
- issue a written apology to Mr A.