

SPSO decision report

Case: 201507464, A Council
Sector: local government
Subject: road authority as developer, road alterations
Outcome: upheld, recommendations

Summary

Mr C complained to the council about a local bus company's use of the street outside his house for driver changeovers. Various options that would help resolve this problem had been considered but none had been put in place. Separately to this, there were plans to upgrade a nearby junction. This project included measures to accommodate driver changeovers and the council anticipated these would resolve Mr C's problems with driver changeovers.

Following a local consultation, the council began formal proceedings to carry out the upgrade, including a statutory consultation. Mr C complained that the length of time taken by these proceedings was unreasonable. He also complained that the council was not enforcing regulations on buses stopping in a restricted area near his home.

We acknowledged that the statutory process and the way the upgrade project was funded affected the timescale and that this was outside the council's control. However, we found that the council had introduced some avoidable delays that extended the timescale. We also found that the council was aware of drivers being asked by the bus company to stop in the restricted area. We therefore upheld Mr C's complaints.

Recommendations

We recommended that the council:

- apologise to Mr C for the avoidable delay in the process;
- provide Mr C with an update and schedule for the works at the junction near his home; and
- consider whether enforcement of relevant traffic-related legislation is required.