

SPSO decision report

Case: 201602843, The Highland Council
Sector: local government
Subject: policy/administration
Decision: not upheld, no recommendations

Summary

Mr C complained that the council had advised him to submit a building warrant application without first reviewing information he had previously submitted. He also complained that the council accepted his building warrant application before ensuring that all necessary information had been submitted. He was also concerned that, once the building warrant application had been submitted, it took the council a considerable time to issue his building warrant. He felt this delay was unreasonable.

The council responded to Mr C's complaint and explained that, because his plans included a drainage system which was untested in the UK, the council were unable to assess this aspect of the application at the pre-warrant stage and this was why Mr C was encouraged to submit his application for a building warrant. They acknowledged that following the submission of the application it took a considerable time for the building warrant to be issued. However, they explained that this was because they had to consult with other external agencies to seek opinions on the suitability of the drainage system. As soon as they obtained responses from these consultees, they approved the building warrant. Mr C was unhappy with this response and brought his complaint to us.

We considered the information provided by both parties. We noted that the drainage system proposed was new and untested, and we noted the considerable work undertaken by the council to seek approval for this system. We were satisfied that it was reasonable for the council to advise Mr C to submit his warrant application to allow the drainage issues to be considered in more detail and we noted the time taken for the council to obtain responses from consultees. We did not find evidence of administrative failure in the way the council dealt with this matter and, as a result, we did not uphold Mr C's complaints.