

SPSO decision report

Case: 201609303, Aberdeen City Council
Sector: local government
Subject: handling of application (complaints by opponents)
Decision: not upheld, no recommendations

Summary

Mr C complained about the council's handling of an application for a waste management facility. Mr C believed that the council had not followed relevant legislation and procedures in dealing with the application as an urgent matter at a meeting of the full council and had unreasonably allowed costs and the business case to be introduced as material considerations in the determination of the application. Following the council's decision to approve the application, Mr C corresponded with a senior member of council staff who he considered had unreasonably refused to answer his questions.

We found that, as required by the relevant legislation, in the minutes of the council meeting the council had recorded the reasons for the convenor being of the opinion that the application should be considered as a matter of urgency and that the procedures Mr C had referred to had not been relevant in the circumstances of the consideration of the application. We found that it was reasonable, in the context of the application, for costs to have been introduced as material considerations. We could see no evidence that the business case had been introduced as a material consideration. We also considered that the senior member of staff's response to Mr C had effectively answered his questions. We did not uphold Mr C's complaints.