

## SPSO decision report

**Case:** 201706392, Fife Council  
**Sector:** local government  
**Subject:** policy / administration  
**Decision:** upheld, recommendations

### Summary

Mr C complained about delays in the council's handling of a breach of planning consent he first reported to them some years ago, but which remained unresolved until recently. The breach involved a complex engineering matter, which the council told him was the cause of the delay, as significant research had been required on the part of the applicant and their architects to identify a workable solution. Regardless, Mr C believed that the timescales involved were unreasonable and questioned whether the council had taken sufficient steps to progress enforcement action.

We took independent advice from a planning professional. We considered that the informal approach taken by the council and the decisions made at each stage to allow informal negotiations were reasonable. However, we did not consider that the council had taken reasonable steps to follow up on proposed action by the applicants at a number of key stages, resulting in months long delays with no apparent progress on several occasions. Given this, we upheld the complaint.

### Recommendations

What we asked the organisation to do in this case:

- Apologise to Mr C for the unreasonable delays in their handling of his reports of a planning breach. The apology should meet the standards set out in the SPSO guidelines on apology available at [www.spsso.org.uk/leaflets-and-guidance](http://www.spsso.org.uk/leaflets-and-guidance).

What we said should change to put things right in future:

- At every stage, planning enforcement action and informal negotiations should be progressed within a reasonable timescale.

We have asked the organisation to provide us with evidence that they have implemented the recommendations we have made on this case by the deadline we set.