



The Scottish Parliament

(For official use only) PUBLIC PETITION NO.	PE1212
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Should you wish to submit a public petition for consideration by the Public Petitions Committee please refer to the guidance leaflet [How to submit a public petition](#) and the Guidance Notes at the back of this form.

1. NAME OF PRINCIPAL PETITIONER
Jean Camidge
2. TEXT OF PETITION
Calling on the Scottish Parliament to urge the Scottish Government to hold a public inquiry into whether the Scottish Public Services Ombudsman has delivered the quasi-judicial complaints handling service it claims to provide and to review all complaints brought by members of the public but subsequently rejected by the SPSO.
3. ACTION TAKEN TO RESOLVE ISSUES OF CONCERN BEFORE SUBMITTING THE PETITION
I submitted a 5-page complaint with about 100 pages of evidence to the SPSO that Edinburgh Council failed to control development at 5 Strachan Road, Edinburgh.
4. ADDITIONAL INFORMATION

I submitted a 5-page complaint with about 100 pages of evidence to the SPSO that Edinburgh Council failed to control development at 5 Strachan Road EH4 3RH.

The basis for my complaint was that Edinburgh Council passed a planning application for a two storey building in planning application 05/00275/FUL. The owner however built a three storey building. I and my neighbours complained about the deviations from the approved plans over a two year period and the Council ignored these complaints and allowed the three storey building to be built without the required planning permission. The Council then in 2008 allowed the owner to submit a retrospective planning application 08/00689/FUL for the three storey building. This planning application was refused permission and the planning committee recommended that enforcement action be taken. To date no enforcement action has been taken.

Edinburgh Council failed to control development at 5 Strachan Road by allowing a three storey building to be built without planning permission and continue to allow it to stand even after the retrospective planning permission for the three storey building was refused permission and the planning committee recommended that enforcement action be taken.

I have attached two pictures showing the previous house built at 5 Strachan Road and the new 3 storey house built without planning permission.

The SPSO investigator took two days to review and dismiss my 100 page complaint saying 'Although the planning process in this case has resulted in a development which you find highly unsatisfactory, I have not seen evidence to suggest that the various approvals, refusals and enforcement actions relating to the site have been decided unreasonably. For that reason, I have decided to take no further action on your complaint. I have closed your file and informed the Council that I have done so, in keeping with our legal obligations.'

The SPSO have ignored the basic principle of planning law that no development is allowed unless it has planning permission. If the SPSO cannot identify such a blatant case of maladministration then there is no hope for the public when it is not so clear cut.

My complaint, and how it was dismissed, is clear evidence that the SPSO is not providing the public with a service to hold the authorities to account and calls into question are they providing the service the Scottish Parliament envisaged or as it appears in my case are they just there to protect the authorities from valid and irrefutable complaints from the public.

The Petitioner urges the Scottish Parliament to hold a Public Enquiry to investigate if the SPSO have been delivering the quasi-judicial complaints handling service they claim to be providing to the public.

The Public Enquiry should review all complaints which the public thought were valid and were rejected by the SPSO to determine if the SPSO are providing the complaints service as envisaged by the Scottish Parliament.

5. DO YOU WISH YOUR PETITION TO BE HOSTED ON THE PARLIAMENT'S WEBSITE AS AN E-PETITION?

YES

NO