

## SPSO decision report

**Case:** 201302535, Glasgow City Council  
**Sector:** local government  
**Subject:** licensing - other  
**Outcome:** upheld, recommendations

### Summary

When Mr A was refused a street trader's licence, he asked the council for a statement of reasons for the refusal. He then complained about the refusal, the reasons given for refusal and the time taken to provide those reasons. He remained dissatisfied when he received the council's responses and Mr C complained to us on his behalf.

The council argued that various court opinions indicated that the timescale given in legislation for the provision of statements of reasons was not mandatory. We considered the council's argument but decided that the view courts may take in the event of appeals being made to them was not relevant to a complaint about administrative handling. We, therefore, upheld that complaint along with others relating to the council's handling of Mr A's complaints.

### Recommendations

We recommended that the council:

- apologise to Mr A that they did not provide the statement of reasons within ten days;
- apologise to Mr A that they did not respond reasonably to his complaints; and
- remind relevant staff that they should be clear from the start of the investigation stage exactly what matters they will be investigating, and that complaint responses address all the areas that the council is responsible for and explain the reasons for any decisions reached.