

Complaints about the Enforcement Process

You can complain if the **timescales** for enforcement set out by the Scottish Government¹ and by the City of Edinburgh Enforcement Charter² are not being met.

You can also complain if the council **chooses not to take action against a breach of planning control** which is affecting you: “Planning authorities should be aware that failure to take enforcement action against a breach of planning control could be subject to a referral to the Scottish Public Services Ombudsman”.³

The enforcement process is not a quick one. You can help the process by continuing to report the issues you are having with the unauthorised let(s).

Service Standard relating to breaches of Planning Control

- 5 days - Complainant should receive an acknowledgement of the complaint made with reference number and contact details for investigating officer.
- 20 days - Complainant should be advised of the proposed action to be taken. This may include the need for additional investigation.
- 4-6 weeks - If there has been no progress, complainants will receive a communication explaining the delay.
- 3 months (or 6 months for Short Stay Visitor Accommodation) - The planning authority will aim to serve the enforcement notice within this time.
- If an appeal is submitted by the business owner, the original complainant will be informed within 5 working days of receiving the appeal.

Making a complaint

If this Service Standard is not being met a complaint can be made to the following individuals:

1. Case officer investigating your breach of control.
2. Council complaints process - If the case officer does not resolve the situation to your satisfaction an official complaint can be made [here](#).
3. Scottish Public Services Ombudsman - If the council does not resolve the complaint to your satisfaction a complaint can be made to the SPPO [here](#).

¹ <https://www.gov.scot/publications/planning-enforcement-charter-guide-enforcing-planning-controls/>

² http://www.edinburgh.gov.uk/download/downloads/id/7181/planning_enforcement_charter.pdf

³ <https://www.gov.scot/publications/planning-circular-10-2009-planning-enforcement/>