

**Case:** 201002471, Renfrewshire Council  
**Sector:** local government  
**Subject:** complaints handling; investigation  
**Outcome:** not upheld, action taken by the body to remedy, no recommendations

### Summary

Ms C lives in a flat owned by a housing association in an area where a number of council-owned properties have been demolished. After the demolition she complained to the council that she was experiencing increased vibration in her home and that cracks had appeared. She said that the vibration was caused by passing trains, that it was a statutory nuisance and that the demolition work was responsible for this. She applied to the council to be rehoused and felt that in the circumstances she should receive priority status for this. She did not receive this status, and she was not rehoused although she remains on the waiting list. She asked us to investigate as she was unhappy with how the council investigated her concerns about the vibrations and how they handled her housing application. She felt they failed to consider all the circumstances when they refused to award her priority status.

We did not uphold Ms C's complaints. We found that the council and the landlord appropriately investigated the vibrations and cracking. Their engineers made joint inspections, and the landlord accepted that the vibrations and cracking did not result from demolition. The council also explained the steps they had taken to try to assess the effect the vibrations were having, so that they could decide whether to review Ms C's housing priority. They could not measure these at the time as they did not have the appropriate equipment and decided not to take this further (although they placed an order for equipment). We took the view that they were entitled to decide this and that their actions in the circumstances were not unreasonable. As a result of our enquiries, however, they also agreed to make an objective measurement of the vibrations, although not with a view to taking environmental enforcement action. The outcome will instead be fed to their Property Services Division to assist them in assessing whether they should reprioritise Ms C's housing application.