

Case: 201102366, Falkirk Council
Sector: local government
Subject: repairs and maintenance of housing stock (incl dampness and infestations)
Outcome: no decision reached

Summary

Mr C has rented his council house for 11 years. His neighbour bought her council house before he became a tenant. As part of this purchase, she bought the driveway on the gable end of the building, but the council retained a right of access for the tenant of Mr C's house. There was no footpath laid when Mr C became a tenant but he was able to gain access for deliveries and to bring his wheelie bins round from his back garden. Mr C said that his neighbour told him that it was her intention to lay a path at some time.

Mr C and his neighbour fell out with each other about two years ago on an unrelated issue. As a result, Mr C complained to the council that his neighbour was making it difficult for him to gain access to and bring his wheelie bins round from the back of his house. Mr C complained to us because the council refused to agree to his request that they require his neighbour to provide a path. He believed that they were obliged to do so under the terms of his tenancy agreement. As there had never been a path and Mr C did not raise the matter before he accepted the tenancy from the council, we told Mr C that we could investigate but we could not achieve the outcome he was seeking. Mr C then decided not to pursue his complaint with us further.