

## SPSO decision report

**Case:** 201200214, Perth and Kinross Council  
**Sector:** local government  
**Subject:** rights of way and public footpaths  
**Outcome:** not upheld, no recommendations

### Summary

Mr C complained that the condition of the footpath beside his home meant that he had difficulty in accessing his driveway. After he contacted the council about this, he had spoken to two workers marking up the damaged areas on the footpath. They suggested that he could expect it to be fixed within three weeks. When this did not happen he complained.

The council accepted that the footpath was sub-standard but explained that, for budgetary reasons, they had to prioritise more significant repairs. As the condition of the footpath was not poor enough to cause any safety risk, and they were satisfied that Mr C could access his home from the public road, they could not in fact give him a time-frame in which the repairs would be carried out. Mr C also complained about his telephone conversation with a council employee who terminated the call.

We did not uphold Mr C's complaints. Our investigation found that the council complied with their responsibilities in terms of roads maintenance. We considered it reasonable for them to prioritise repairs, which was a decision they were entitled to take. On the matter of the telephone call, as we did not have evidence to conclude that the call was handled inappropriately, we could not uphold this element of Mr C's complaint.