

SPSO decision report

Case: 201200648, Scottish Borders Housing Association Ltd
Sector: housing associations
Subject: neighbour disputes and anti-social behaviour
Outcome: not upheld, no recommendations

Summary

Mr C complained that the housing association retrospectively granted their tenant, one of his neighbours, permission to keep a dog which he considered represented a danger to children. Mr C said that after this happened, objections were registered. These were heard at an appeal and upheld, and the association revoked the permission. However, when the neighbour appealed against this decision, permission for her to keep the dog was reinstated. Mr C complained that the association inappropriately granted this permission and took too long to go through the appeal process, which he said also caused confusion. He also complained that the association had failed to ensure that a suitable fence was erected in the neighbour's garden.

We carefully considered this complaint, and reviewed all the correspondence and photographs provided by Mr C. We made detailed enquiries of the association, examined how they dealt with Mr C's concerns, and reviewed their investigations into his complaint. We also examined relevant policies and procedures including the Dangerous Dog Act 1991 (and Amendment Act 1997) and the association's 'permission to keep a pet' policy.

We did not uphold Mr C's complaints. Our investigation found that the association had appropriately granted permission for the neighbour to keep the dog, and had carried out both the first and second appeal processes appropriately and with transparency. In recognition of Mr C's concerns, they had attached provisions to the granting of the permission. We also found that, once the relevant planning permission had been obtained, the association had installed appropriate fencing.