

SPSO decision report

Case: 201200659, Falkirk Council
Sector: local government
Subject: neighbour disputes and anti-social behaviour
Outcome: not upheld, recommendations

Summary

Mr C complained that the council failed to take adequate action after he reported noise nuisance from his neighbour. The council's anti-social behaviour case management procedure outlines the action the council can take in response to evidence of anti-social behaviour. This includes considering an acceptable behaviour agreement, making a referral to the mediation service, asking their noise team to monitor the situation, calling a case conference, joint working with their conflict resolution service, and issuing warning notices or advisory warnings.

We found that the council had issued warning notices to Mr C's neighbour and had signed him up to an acceptable behaviour agreement. The council also told us that Mr C did not engage with the conflict resolution team and had rejected an offer of mediation. There was evidence that the council's noise team had attended Mr C's property. Although this did not initially resolve the problem, we were satisfied that the council took action in line with their procedures.

Mr C also told us that a member of the council's staff incorrectly told him that that he would be rehoused quickly if he applied for other housing. We found no evidence that the officer had said this. However, the council had told Mr C that they would update him when they had investigated this, and although they did investigate, they failed to update him of this due to an oversight.

Mr C also complained that the council had accused him of failing to attend a meeting, when he had already told them that he would not be attending. However, we found no evidence of this.

Recommendations

We recommended that the council:

- issue a written apology to Mr C for the failure to inform him that the matter he had raised had been investigated and was considered to be concluded.