

## SPSO decision report

**Case:** 201203733, Falkirk Council  
**Sector:** local government  
**Subject:** noise pollution  
**Outcome:** some upheld, no recommendations

### Summary

Mrs C complained about the council's handling of her complaints about noise from a nearby factory, in particular their handling of her concerns about night-time noise. Mrs C was also concerned about how they dealt with her complaint about their handling of the matter.

During our investigation we received evidence of the council's investigations in response to the complaints of noise nuisance, including carrying out noise measurements inside Mrs C's property. The council explained that, while they recognised that the noise disturbed Mrs C, they were unable to take any formal action as they were unable to establish that a statutory noise nuisance existed. The council had worked with the owner of the factory to carry out works on a voluntary basis but unfortunately these had not helped.

On balance, we upheld the complaint about the council's complaints handling, as we found that they failed to handle Mrs C's initial concerns in line with their complaints procedure. We noted, however, that their later handling of the complaint was in line with their procedure, and we were satisfied that they responded reasonably to the issues she raised, so we did not find it necessary to make any recommendations about this.