

SPSO decision report

Case: 201204113, Falkirk Council
Sector: local government
Subject: applications, allocations, transfers & exchanges
Outcome: not upheld, no recommendations

Summary

Since Mrs C and her family moved into a council flat, she had complained about noise from a neighbour. After one particular incident, she applied for rehousing, supported by her GP and health visitor. A multi-agency case conference considered the circumstances of her request, but decided not to award social housing points that would have given her higher priority for a move. Mrs C continued to complain about noise and other disturbances. She pursued a formal complaint through the council's complaints procedures, then complained to us that the council had unreasonably failed to take action on her complaints of anti-social behaviour.

Our investigation found that the council had monitored the noise twice, but did not find it to be at levels that constituted a statutory nuisance. An acoustic test found that impact noise insulation levels did not meet current building standards, but as these would have complied at the time the houses were built the council decided to take no action. Mrs C and her husband were made the offer of another property but declined it as unsuitable. We did not uphold Mrs C's complaint, as our investigation found that the reports of noise had been properly recorded and appropriately investigated.