

SPSO decision report

Case: 201402437, Dumfries and Galloway Council
Sector: local government
Subject: caravan sites
Outcome: not upheld, no recommendations

Summary

Mr C complained about the council's handling of several concerns he brought to their attention in relation to health and safety at a caravan site. In particular, Mr C was concerned that he contacted the council about health and safety concerns about an unfenced bridge on the site but several months later the bridge was still unfenced, and the council did not tell him that they did not consider this to be a health and safety issue (as they are required to do under their policy, if they decide not to investigate a reported issue). Mr C also said that statements by the council that signs on the site had been updated and that raised manhole covers had been addressed were incorrect. Mr C said that, although some signs had now been updated, this was not done at the time the council said it was. In relation to the manhole covers, Mr C said there were a number of manhole covers which were raised above ground level, which he considered to be a tripping risk (and he provided some photographs of these).

The council said they had inspected the unfenced bridge and raised this with the site owners, but did not intend to take any further formal action (as there was no significant health and safety breach). The council also said that signs on the site had been updated, and provided photographs of these. In relation to the raised manholes, the council explained that this was a misunderstanding. Their previous statements that the manholes had been fixed referred to concerns that the manholes had inadequate covers, and that there was a risk of vermin or small children accessing the manhole. The council said they were now satisfied that this had been addressed, and provided photographs of the work. In relation to Mr C's concerns about the raised manholes constituting a tripping risk, the council said they did not share these concerns and did not consider this to be a health and safety risk.

After investigating these issues, we did not uphold Mr C's complaints. We found that the council had complied with their policy in responding to Mr C's concerns about the bridge, and had kept him updated about the overall work on the site, as well as offering to meet to discuss all of his outstanding concerns. We accepted that the misunderstanding about the manholes appeared to be a communication error, and we found no evidence that the council had acted unreasonably in determining that the manholes no longer constituted a health and safety risk. In relation to the signage, we noted that both parties agreed signage had now been updated, and so we did not consider that there was value in pursuing this matter further.