

SPSO decision report

Case: 201508626, Scottish Water
Sector: water
Subject: local impact
Outcome: upheld, recommendations

Summary

Mr C's complaint concerned a sewage pumping station which shared a boundary with his property. Mr C said the operation of the pumping station was causing an unacceptable level of noise and vibration, which was causing disruption. He was regularly unable to sleep and at times unable to watch television or remain in his property. Mr C said Scottish Water had carried out works to reduce the noise and vibration, but that they had only done so when the local authority had served a noise abatement order. Additionally, Mr C believed Scottish Water had delayed in complying with the order, to avoid incurring additional costs. Mr C said Scottish Water had not responded appropriately to his complaints and they had not provided a permanent solution to the problems.

Scottish Water did not accept they had not responded reasonably to Mr C's complaint. They said they had been proactive when it was clear he was dissatisfied and they had noted a peak in the number of complaints. They had replaced the pumps on site, which had been at the end of their operational life, and sourced replacements which had improved performance. Scottish Water said they were monitoring noise and vibration on site, but that Mr C had placed unreasonable conditions on allowing access to his property to monitor the noise levels internally. Scottish Water said they had spent significant sums of money addressing the problems on site.

We found Scottish Water had taken an unreasonable length of time to acknowledge Mr C's complaint. Additionally, the local authority had indicated they were concerned about the longstanding nature of the noise problems Mr C was experiencing. We noted Scottish Water informed Mr C they had resolved the problems on site and that the matter was closed, before they were served with a noise abatement order by the local council. We found Scottish Water had not responded sufficiently quickly to Mr C and that their response to us had sought to minimise the concerns of the local authority. We found that Scottish Water needed to review their existing offer of compensation to Mr C to reflect this extended timescale.

We also found that the only available noise monitoring evidence showed that the pumps continued to produce a level of noise that breached the relevant national standards. A definitive determination of nuisance could not be made, however, until Mr C allowed monitoring to take place in his property. We upheld Mr C's complaint.

Recommendations

We recommended that Scottish Water:

- provide training to the relevant staff to ensure they are able to consistently and accurately identify complaints for escalation;
- review their offer of compensation to Mr C to ensure it covers the relevant period;
- ensure internal monitoring is carried out by an independent expert to an agreed standard at the earliest opportunity;
- ask the council to carry out the monitoring if agreement cannot be reached between Mr C and Scottish Water;
- implement in full any works recommended following the internal monitoring to further attenuate noise;

- monitor the noise levels from the pumping station for a further six months; and
- apologise for the failings identified in this investigation.