

SPSO decision report

Case: 201508879, Clackmannanshire Council
Sector: local government
Subject: noise pollution
Outcome: not upheld, no recommendations

Summary

Mr C said that he complained to the council in October 2014 about a noise nuisance emanating from business premises close to his home but that they failed to follow correct procedures and delayed in dealing with his complaints. The council said that they had investigated all of his complaints and responded to him but found no evidence of a statutory noise nuisance which they could pursue.

We investigated the complaint and found that after Mr C had been in contact with them, the council made a site visit to the premises concerned, spoke to the operator, issued Mr C with noise logs to complete, installed noise monitoring machinery in Mr C's house and took readings. However, no evidence was produced to confirm that a statutory noise nuisance existed which would have allowed the council to issue a noise abatement notice. We also found that, overall, the council responded reasonably to Mr C's complaints and that there were no unreasonable delays in the way they handled his reports of noise. We did not uphold the complaint.