

SPSO decision report

Case: 201605670, East Renfrewshire Council
Sector: local government
Subject: neighbour disputes and anti-social behaviour
Outcome: not upheld, no recommendations

Summary

Mr C reported problems with the behaviour of his neighbour, who is a private tenant, including a number of reports of noise nuisance, verbally abusive behaviour and other anti-social behaviour. Mr C wanted the council to take steps to address his concerns with his neighbour and his neighbour's landlord, who he had also contacted directly.

Council wardens attended following reports but concluded there was not sufficient evidence of noise or other nuisance to take further action.

The council made a number of attempts to resolve the situation with preventative measures but these were not successful.

As matters escalated, the council met with Mr C and the landlord but Mr C continued to experience behaviour from his neighbour that caused him distress.

Mr C complained to the council about their lack of action and a number of specific concerns about his interactions with council staff. The council responded to his specific concerns. Mr C remained concerned that the council had not taken adequate steps to address the problems he was experiencing and complained to our office.

Our investigation considered the statutory duty placed on the council to act, as well as the council's own procedures. We found that, in the absence of evidence of serious anti-social behaviour, the council had no duty to act. We also considered that the council's decision (that the evidence they had about the behaviour of Mr C's neighbour did not give them grounds for further action) was a reasonable one. We therefore did not uphold Mr C's complaint.