

## SPSO decision report

**Case:** 201702179, North Lanarkshire Council  
**Sector:** local government  
**Subject:** control of pollution  
**Decision:** not upheld, recommendations

### Summary

Mr C complained that the council failed to take reasonable steps in relation to his complaints about dust and noise from industrial premises near his home.

We took independent advice from a consultant in environmental health. We found no evidence of a lack of willingness by the council to respond to Mr C's complaints of dust and noise, in line with the relevant legislation. We found that, on each occasion, the council determined there was insufficient evidence of a statutory nuisance. We did not uphold Mr C's complaint.

Although we did not uphold the complaint, we did have concerns about the council's records of monitoring and the advisability of follow-up in relation to the council's recent investigations regarding dust and noise. We made a recommendation and provided feedback to the council to address these points.

### Recommendations

What we asked the organisation to do in this case:

- Carry out further follow-up monitoring of dust and noise, and work with the premises operator if appropriate to mitigate noise sources where possible.