

SPSO decision report

Case: 201706633, North Lanarkshire Council
Sector: local government
Subject: road authority as developer / road alterations
Decision: upheld, recommendations

Summary

Ms C's home is accessed along a single-track lane. Ms C complained that contractors' vehicles, involved in works on behalf of the council, obstructed the lane on a number of occasions. She complained that this was a contravention of the masterplan, in terms of which the lane must not be used by contractor vehicles.

The council said that where access had been required via the lane, contractors had been advised to take due consideration of the residential surroundings, and to notify residents in advance where construction vehicle access was planned. They provided copies of email correspondence regarding the use of the lane, which evidenced that some efforts were being made to minimise disruption to residents.

We found that although the council had made some efforts to address Ms C's concerns, there were still ongoing issues regarding the use of the lane. Therefore, we upheld Ms C's complaint.

Recommendations

What we asked the organisation to do in this case:

- Apologise to Ms C for failing to address her concerns about obstruction of the lane by contractors' vehicles. The apology should meet the standards set out in the SPSO guidelines on apology available at www.spsa.org.uk/leaflets-and-guidance.

What we said should change to put things right in future:

- Contractors must be aware that they cannot obstruct access to the lane.

In relation to complaints handling, we recommended:

- Council staff should clearly record reports of obstruction and also note the action taken to address each incident.