

## Scottish Parliament Region: Central Scotland

### Case 200501976: North Lanarkshire Council

#### Introduction

1. On 25 October 2005 the Ombudsman received a complaint from an individual referred to in this report as Mrs C that North Lanarkshire Council (the Council) had refused to allow her to retain a closed circuit television camera she had installed at her home.

2. Mrs C advised that the installation of the camera was to provide security for her daughters from anti-social behaviour exhibited by some children in her area. Her daughters had suffered from earlier abusive behaviour including one incident where one of her daughters was attacked by a dog.

3. Mrs C made a formal complaint to the Council. Their final response including referral rights to our office was issued on 17 October 2005.

4. The complaint from Mrs C which I have investigated concerned the Council's refusal to allow her to retain the camera at her home, despite Mrs C's belief that it should be acceptable as it was in a fixed position and faced only onto her front door.

5. Following the investigation of this complaint I came to the following conclusion:

Upheld, see paragraphs 6 to 8.

#### Investigation and findings of fact

6. The complaint was initially investigated by the Area Manager and Director of Housing and Property Services at the Council. The Council's view on the installation of closed circuit television cameras is that any installed camera should not be able to be used to film public areas. The authority believed that the type of camera installed by Mrs C could potentially be used to record activities outwith her garden.

7. I made a formal enquiry of the Council to obtain further information on 9 January 2006. I received a response from the authority on 14 February 2006 advising that the Area Manager had discussed the complaint with Mrs C and clarified the type of camera and capability of the lens. Following these discussions

and a further inspection of the equipment, the Area Manager has withdrawn the Department's objection to the siting of the camera and has agreed that Mrs C may use the camera for the purpose she had outlined.

8. Both Mrs C and the Council are satisfied with the outcome. I commend the Council for taking such prompt action to resolve the complaint following our initial enquiry. As a result of the action by the Council, I am satisfied with the outcome and as such make no recommendations.

28 March 2006

**Explanation of abbreviations used**

Mrs C

The complainant

the Council

North Lanarkshire Council