

Case: 201004662, East Renfrewshire Council
Sector: local government
Subject: public health and civic government acts - nuisances/problems in/around buildings
Outcome: not upheld, no recommendations

Summary

Mr C's neighbours installed security lighting, which impacted on the previously dark rear of his property. Following contact from the council, his neighbours made some adjustments but Mr C considered that the effect of the light on his bedroom remained unacceptable and constituted a statutory nuisance. He said it interfered with his health and sleeping pattern, and that the council had misinterpreted or ignored relevant guidance and had not taken into account the views of other independent people who had viewed the lights. When the council declined to take further action he complained but remained dissatisfied with their response and complained to SPSO.

He made a number of complaints to us based on to his belief that the light constituted a statutory nuisance. He also said that the council failed to deal with his complaint about the matter appropriately, as they did not view the problem at later stages of the complaints process and did not deal with his complaint in terms of the complaints procedure. We did not uphold his complaints about the issue of establishing whether the lights were a statutory nuisance, as it was clear that the council had taken appropriate steps to reach their decision on this. Mr C disagrees with the decision but he has the option of taking the matter to the sheriff if he considers the council are wrong in respect of the statutory nuisance. In relation to the other element of his complaint, it was clear to us that the council had responded reasonably.