

SPSO decision report

Case: 201903967, West Lothian Council
Sector: Local Government
Subject: Noise pollution
Decision: some upheld, recommendations

Summary

C complained about the way the council had handled their reports of noise nuisance about a local village hall. The hall was leased by the council to an independent association that was responsible for managing bookings. C felt the noise caused by activities taking place at the hall breached the terms of the lease and believed the council should enforce this. C also reported the matter to the council's Environmental Health service.

We found that the council handled C's noise complaints satisfactorily, taking into account the status of the village hall, its lease and the powers available to the council to take enforcement action. We noted that although Environmental Health deemed that the noise was not a statutory nuisance, they continued to engage with the association to work towards an agreeable outcome. We did not uphold this aspect of the complaint.

C also complained about the way that the council handled their complaint about the service they received. We found that a number of aspects of the council's complaint investigation were appropriate. However, we noted that the council failed to update C about the delay in the investigation and provide a revised timescale for the response. On balance, we upheld this aspect of the complaint.

Recommendations

What we asked the organisation to do in this case:

- Apologise to C for failing to update them about the delay in the investigation and provide a revised timescale for the response. The apology should meet the standards set out in the SPSO guidelines on apology available at www.spsso.org.uk/information-leaflets.

We have asked the organisation to provide us with evidence that they have implemented the recommendations we have made on this case by the deadline we set.