

## SPSO decision report

**Case:** 201205407, A Council  
**Sector:** local government  
**Subject:** neighbour disputes and antisocial behaviour  
**Outcome:** some upheld, recommendations

### Summary

Mr and Mrs C had had a number of problems with their neighbours, which they believed stemmed from their objections to planning applications made several years before. The council had investigated other concerns about anti-social behaviour some time before, but this time Mr and Mrs C raised further issues. These were investigated by a council officer, who consulted with the police and interviewed Mr C and Mrs C separately. The officer said he would provide a dossier and seek legal advice within the council. He sought the advice some three months later, and it was provided nine weeks after that. The advice was that the information held did not meet the statutory test for the council to pursue formal action.

Mr and Mrs C then wrote to the council's chief executive, complaining about the five month delay in clarifying the council's position. The response (from the deputy chief executive), however, referred back to the original complaints, and ignored two requests for information. Our investigation upheld most of Mr and Mrs C's complaints as we found that the council's response took too long, and was inadequate. We did not uphold their complaint that the council team failed to deal with antisocial behaviour in accordance with council policies and procedures.

### Recommendations

We recommended that the council:

- apologise to Mr and Mrs C for the delay in providing them with clarification on whether it was open to the Safer Communities Team to pursue formal action and for the failure to respond to their requests for information raised in their complaints.