

SPSO decision report

Case: 201404801, The City of Edinburgh Council
Sector: local government
Subject: statutory notices
Outcome: upheld, recommendations

Summary

The property where Mrs C lives was subject to a statutory repairs notice which meant that the council did the works by default and then recouped the cost (plus an administration fee) from the owners. Mrs C complained about the final costs of the works and said that the owners had not been kept informed or up to date about increasing costs.

We found that, upon starting work as required by the notice, the extent of damage caused by vegetation was greater than first considered (affecting the gable as well as the chimney stack of the property). While Mrs C was alerted to the fact that this would lead to an increase in costs, she was not given details of the costs incurred nor reasons why the council thought it was appropriate to continue with the works under the existing notice rather than issuing another. Accordingly, we upheld Mrs C's complaint.

Recommendations

We recommended that the council:

- provide Mrs C with a full explanation for the reasons why further works (and associate costs) were required and why it was not considered necessary to issue a further statutory notice; and
- make a full formal apology for the failures in this matter and add weight to the apology by considering waiving the administrative costs associated with the works.