

## SPSO decision report

**Case:** 201005159, The City of Edinburgh Council  
**Sector:** local government  
**Subject:** licensing - other  
**Outcome:** some upheld, recommendations

### Summary

Mr C lives in a tenement flat. He complained about procedures adopted by the council in connection with a fresh application for a Housing in Multiple Occupation licence for the flat immediately above his own.

The complaint had eight aspects, including that the council delayed unreasonably in replying to Mr C's query about the applicant's display of a site notice and failed to inform him of an available right of appeal to the sheriff.

We upheld these two complaints, as our investigation found that the council failed both to respond to Mr C's query and to properly advise him about the availability of appeal. We did not find any evidence that anything had been handled incorrectly in respect of the other six points.

### Recommendation

We recommended that the council:

- review their notes of guidance to applicants cited to attend sub-committee hearings on Housing in Multiple Occupation licence applications to include a warning that failure to attend might have important consequences in respect of making a valid appeal to the sheriff.