

SPSO decision report

Case: 201203652, East Lothian Council
Sector: local government
Subject: repairs and maintenance
Outcome: not upheld, no recommendations

Summary

Mr C complained that the council had unreasonably charged him for a visit to his home about a gas maintenance check. The check on Mr C's home was due, but the council said he had missed the first appointment. Mr C told us that he was at home that day, and that the contractor had not arrived. He said that he received no further correspondence from the council until a contractor's card was put through his door. He said that the council then attended his property and, although they were granted access by a relative who was there, they 'capped' Mr C's gas and charged an administrative fee. Mr C was unhappy that they had done so.

Our investigation found that the council are required by law to carry out an annual gas safety inspection, and that there are set periods of notice that they need to give tenants about this. There are also steps they can take to gain access if a tenant does not respond. The council had sent three letters to Mr C trying to arrange the inspection, and left two cards at his home when their contractor could not gain access. They had his correct address details on record, had met all the periods of notice they were required to give him about this, and had followed their policy. We, therefore, did not uphold Mr C's complaint, as we found that the council had done nothing wrong and were entitled to charge the administration fee.