

SPSO decision report

Case: 201204897, Business Stream
Sector: water
Subject: debt recovery / payment fees
Outcome: upheld, recommendations

Summary

Mr C operated an accounting business from a room in his house. This meant that the room was listed on the Scottish Assessors Association's website and that Mr C would be eligible for certain water charges, even though the room had no direct water connections. Business Stream became aware that Mr C was eligible for water charges in March 2010 but did not issue their first invoice (with charges backdated to that date) until well over two years later.

Mr C complained about this delay and also the level of the invoice. He also told Business Stream more than once that the business had ceased more than a year before they issued the invoice. In addition, he said that Business Stream misadvised him that he would qualify for relief from their charges if he supplied proof that he received 100 percent small business rates relief.

Mr C had received a reduction in his council tax, and we had to consider whether it was reasonable to, therefore, expect him to have made enquiries about whether he should pay a commercial water supplier. However, we upheld both of his complaints as, on balance, we considered Business Stream's delay of over two years in issuing their invoice to have been unreasonable. In addition, although they had met their timescales in responding to Mr C's complaint, they failed to address the significant matter of Mr C's company having been liquidated.

Recommendations

We recommended that Business Stream:

- apologise for the delay in issuing their invoice, revisit the liquidated company point with Mr C and waive their charge for overdue payment of the disputed balance;
- confirm the internal steps taken to ensure staff give accurate advice regarding exemption from their charges; and
- confirm the steps they will take to ensure initial invoices are issued more promptly.