

SPSO decision report

Case: 201302331, West Lothian Council
Sector: local government
Subject: repairs and maintenance
Outcome: upheld, no recommendations

Summary

Mr C said that the council had not reasonably consulted with him over the timing of major improvement works at his home. Mr C told us that he is a shift worker and often needs to sleep through the day. He said that tradesmen turned up at his home unannounced one Saturday in spite of a prior agreement that work would start the following Monday. The tradesman made noise that woke Mr C up, and he told us that he could not finish his shift later that night. Mr C complained to the council, as he understood that they should have asked his permission before sending tradesmen at a weekend. More tradesmen arrived at Mr C's property the following Saturday. He said that he was not given enough notice of this visit, as a card was only put through the door late on the Friday. Mr C's wife had contacted the council and said she was assured that the work would not go ahead, but the tradesmen still turned up next day. Mr C was also unhappy that workers came after 17:00 to remove scaffolding, and he was repeatedly asked to move his vehicle from the driveway whilst he was having his dinner. He said that when he refused, the scaffolders used lifting equipment to carry the scaffolding over his vehicle.

We upheld Mr C's complaint because tradesmen should not have attended Mr C's property at a time other than had been mutually agreed. We also found that the council missed opportunities to clarify their position in respect of weekend working when they reached an agreement with Mr C about the timing of the work and on receipt of his complaint. However, we did not find it necessary to make any recommendations. We did not find fault in respect of the visit after 17:00, as there was no evidence that Mr C had been advised that work on site would stop after this, and it appeared to have been an assumption on his part.