

SPSO decision report

Case: 201305006, The City of Edinburgh Council
Sector: local government
Subject: statutory notices
Outcome: not duly made or withdrawn, recommendations

Summary

Mr C complained to us about the contract of repairs undertaken under statutory notices served by the council on the tenement property where he stayed. He considered it inappropriate that, after independent review of the project, the council were still proposing to charge a 15 percent administration fee. He also complained about the council's failure to offer him an apology for the inconvenience and stress which had been caused to him by delay.

In response to our enquiry, the council said they had a legal entitlement to recover the administrative fee, and this had been reduced in line with the reduction to the final account. They explained that the company who undertook the independent review had, in some cases, made recommendations to partially or fully waive the council's administrative fee, but had not done so in this instance. Taking this advice into account in our consideration, we concluded that there were no grounds to pursue this issue further.

However, when we looked at the time-frame since the project commenced to completion of the works (further works were undertaken following review), we found that although the council had apologised where there had been poor communication and delay in responding to Mr C, the process had been extremely long to complete, and that it had been a stressful situation. We recommended to the council that they write to Mr C apologising for the stress and inconvenience he had suffered due to the delay in completing the repair works.

Recommendations

We recommended that the council:

- apologise to Mr C for the stress and inconvenience he has experienced due to the delay of four years to complete the repair works.