

SPSO decision report

Case: 201403239, Business Stream
Sector: water
Subject: incorrect billing
Outcome: upheld, recommendations

Summary

Mr C is the secretary of a club which rents premises from the local council. The premises are in part of a building, the larger part of which is vacant. The council had shut off the building's water supply, including the supply to the club's premises. As the club did not require a water supply, this was not a problem. In 2013, Business Stream identified the property as one that had a water connection but had not been charged for water services. An invoice was issued for water and wastewater services. Mr C complained that the club was unreasonably being asked to pay for a service it did not receive. Whilst Business Stream advised that a water connection remained in place and could be used by the club, Mr C noted that the club did not have any control over the stopcock or pipework and could not influence this. Ultimately, the club arranged for the premises to be disconnected, avoiding further charges. However, Mr C considered the earlier charges to be unjustified.

Although the council had turned the water supply off, the property was not fully disconnected from the water supply. Water services could be reinstated without Business Stream or Scottish Water's involvement, and we considered it reasonable for them to guard against a situation where charges were cancelled, only for water to be used at a later date. We found the charges were applied in line with water industry rules and accepted that it was a matter for the club to arrange for a permanent disconnection. That said, we considered the club's disconnection was unreasonably delayed due to the hold-ups to the investigation into Mr C's concerns. Additional charges were accrued in the meantime which we did not consider reasonable, so we recommended that these were reimbursed to the club.

Recommendations

We recommended that Business Stream:

- calculate and refund the difference in charges had the club disconnected the water supply on 1 January 2014.