

SPSO decision report

Case: 202100411, Aberdeen City Council
Sector: Local Government
Subject: Building warrants: certificates of completion / habitation
Decision: upheld, no recommendations

Summary

C complained that the council had failed to follow the correct procedures for issuing a building warrant to a neighbouring property. C had raised issues due to noise ingress to their property, which C attributed to alterations to the approved design for the neighbouring extension.

The council acknowledged that an amendment to the building warrant should have been sought and apologised for this. They noted that the original officer who dealt with the case had left the council, but a review of the works carried out had satisfied the council that the works complied with building standards and that had an amendment to the building warrant been sought, it would have been granted.

We took independent advice from an appropriately qualified building standards adviser. We found that the actions taken by the council were reasonable. The council were acting within their discretionary powers by determining that the building work carried out met the relevant standards. The council correctly identified that an amendment to the warrant should have been sought and had taken the appropriate steps to address this. Therefore, we have upheld this part of C's complaint but have made no further recommendations due to the appropriate action already taken.