

SPSO decision report

Case: 201003620, The City of Edinburgh Council
Sector: local government
Subject: policy/administration
Outcome: not upheld, no recommendations

Summary

Ms C was dissatisfied with an unannounced visit to her home by a surveyor in response to a complaint that unauthorised work had been carried out in her home. Ms C was concerned that the council had not written to her in advance of the visit and that the officer did not have details about her or the alleged works, prior to the visit. The council apologised to Ms C that she had found the visit unsettling but explained the reason for the visit. They suggested that another surveyor could carry out the inspection that was necessary in terms of the Building (Scotland) Act 2003 and suggested that Ms C contact them with a time and date that was suitable.

When we investigated, the council confirmed that they had received a complaint about alleged unauthorised works and that, in such circumstances, they had a statutory obligation to ensure any unauthorised works or conversion that may have taken place had been carried out in accordance with Building Regulations. The council explained that Building Standards operational practice was to visit premises where there are alleged unauthorised works in an informal matter with a view to assisting owners to comply with relevant legislation without the need to resort to formal enforcement action, in line with the Government's Enforcement Concordat. We did not uphold the complaint.