

## SPSO decision report

**Case:** 201102274, The City of Edinburgh Council  
**Sector:** local government  
**Subject:** right to buy  
**Outcome:** some upheld, recommendations

### Summary

Ms C complained that during a regeneration process the council unreasonably failed to provide information to residents; misinformed them; or changed or denied information given to them about the process and their rights. This included information about 'right to buy'; financial assistance with moving costs; and rehousing options. Ms C also complained that the council unreasonably, without telling residents, closed and sealed the bin stores and rubbish chutes in the area, and unreasonably failed to repair street lighting despite requests to do so.

Our investigation found that much of the information provided to residents during the regeneration consultation process and the ongoing regeneration programme was either provided verbally to individuals, or informally at public meetings and open days. For this reason, it was difficult for us to determine what exactly Ms C had been told or promised. Although we, therefore, did not uphold Ms C's complaints about the information provided on the regeneration process, we made a recommendation to address some of the issues that arose around this process.

We did uphold Ms C's other two complaints. The council had explained that the bin stores and rubbish chutes were closed to prevent vandalism; fire setting; and theft. Although we considered that this was in itself reasonable, we found that the way the council went about it was not, nor were the responses provided to Ms C when she complained. The council told Ms C that the electricity supplier for the area had insisted that the bin stores be sealed up to prevent vandalism and to stop copper wiring being stolen from electrical switching boxes. However, Ms C said that the boxes were not actually in the bin stores but in cupboards next to them. During our investigation - but not until some months into it - the council acknowledged that they knew that the boxes were not actually in the bin stores. They said that council officers had referred to the 'bin store' when they meant the entire basement areas of the housing blocks. We took the view that had the council made this clear at an early stage of dealing with Ms C's complaint, this would have given more credibility to their responses, and would have reduced the stress and worry she experienced over this matter. The council were not able to provide us with evidence to show that the electricity provider had insisted that the bin stores and chutes were welded shut. We also found that responsibility for the street lighting was shared with the electricity supplier, in that they were responsible for power supply issues and the council were responsible for repairing defective lights. While there was evidence of some action being taken by the council, we found gaps in the process, and times when no action was being taken.

### Recommendations

We recommended that the council:

- issue a written apology for the failures identified in our investigation; and
- consider producing area-specific information leaflets for residents affected by regeneration projects and to record any information or advice given to individuals.