

SPSO decision report

Case: 201103637, Business Stream Ltd
Sector: Scottish Government and devolved administration
Subject: attitude / behaviour
Outcome: some upheld, recommendations

Summary

Business Stream contacted Mr C asking for details of his business so that he could be billed for water. He was initially reluctant to provide the requested details but after further discussions, Business Stream issued his first bill. Mr C was unhappy to find that this was for a substantial sum, as it had been backdated to when his business moved into the premises. He complained about the way Business Stream went about setting up his account and about the way they pursued him for water charges dating back several years, despite the absence of previous bills.

We found that the property had previously been occupied by another business, who had told Business Stream when they moved out. The property was, therefore, classed as vacant from that date and Mr C had a responsibility as the new occupant to make arrangements to pay for the water supply. We acknowledged that Mr C may not have been aware of his obligations due to changes that had been made to the water industry shortly before he moved into the property. However, we did not find that Business Stream had any obligation to actively check whether a new occupant had moved in. They had identified Mr C's business during a routine audit of vacant sites, and we found it was appropriate for them to contact him at that point.

Mr C had challenged the accuracy of meter readings that were taken during the period that his property was believed to be vacant. We accepted professional advice indicating that the amount of water used was in line with what would be expected for a property of this size and type. We also noted that a single water bill had been issued, with the first and most recent readings not being in dispute. As such, whilst Business Stream were unable to provide evidence that each meter reading was accurate on the date attributed to it, we were satisfied that the correct amount had been charged for the water that was used.

We were, however, critical of Business Stream for continuing to pursue Mr C for outstanding payments whilst his complaint was being investigated and the amounts were in dispute.

Recommendations

We recommended that Business Stream Ltd:

- apologise to Mr C for continuing to pursue him for payment whilst his dispute was being investigated;
- contact Mr C with their offer of setting up a payment plan; and
- ensure that any late payment fees applied to Mr C's account to date are removed.