

SPSO decision report

Case: 201105083, Scottish Water
Sector: Scottish Government and devolved administration
Subject: damage caused / compensation
Outcome: some upheld, action by body to remedy, no recommendations

Summary

Mr C owns the pull in area in front of his house, which has not been adopted by the council and is private property. Mr C said that Scottish Water failed to identify that this was the case before they started work on the road outside his house. Mr C said that Scottish Water's contractors then used the pull in area although they did not have his consent to do so, and it was damaged as a result. Mr C also said that Scottish Water did not respond adequately to his concerns about foreign material in his domestic water supply and failed to identify/note the location of his septic tank outlet pipe which crosses the road in this area for future reference.

Scottish Water accepted that they had initially failed to identify that the area was private property but said that when this was pointed out, their contractors had removed their vehicles and machinery. Both Scottish Water and the contractors had apologised to Mr C. We upheld Mr C's complaint about this but as the apologies were reasonable, we made no recommendations. We did not uphold the complaint about damage as there was not enough evidence of this, and did not uphold the remaining complaints as we did not find that Scottish Water had done anything wrong.