

SPSO decision report

Case: 201102710, Shetland Islands Council
Sector: local government
Subject: valuation of servitude right
Outcome: not upheld, no recommendations

Summary

Mr C complained that the council failed to provide him with an appropriate valuation for a servitude right (a right that a person has to use or enjoy the property of another person) for a plot of land he sold for development. He was concerned that the council did not base their valuation for this on the price he sold the land for, rather than the valuation they obtained.

We found that the council had obtained an independent valuation for the plot of land and based the price for the deed of servitude on this value. Although the valuation obtained by the council was higher than that achieved by the sale, as the council was required to obtain best value for their assets, we found their actions were appropriate. For this reason we did not uphold the complaint.