

SPSO decision report

Case: 201200502, Business Stream
Sector: water
Subject: debt recovery / payment fees
Outcome: not upheld, no recommendations

Summary

Mr C had run his business from shop premises since 2006. In 2012, Business Stream contacted him to say that he had not been paying for the waste and water services he was using, and issued invoices for their services from 2008 to 2012. Mr C complained that he had had no previous contact from Business Stream and they had delayed in issuing their invoices. He believed that Business Stream had failed in their duty to fit a water meter, and were at fault in not doing so in his shop. He also complained that, since receiving invoices from Business Stream, he had repeatedly asked for a water meter to be fitted and the invoices to be recalculated based on probable usage, but Business Stream had refused to agree to this. Mr C said that Business Stream's actions in demanding payment while the matter was under dispute were unreasonable, as was their action in disconnecting the supply to his shop when he had made a part payment towards the bill.

We did not uphold Mr C's complaints. Our investigation found that Mr C had not contacted Scottish Water in 2006 when he moved into the shop, or sourced a service provider when the water market opened up in 2008. Business Stream had explained their charges and offered a payment plan, and told him how to go about having a meter fitted, but he had not applied to have this work done. We were satisfied that Business Stream had explained that they could not accede to his request for the recalculation of his account because they could not backdate their bills. Further, we found nothing to suggest that Business Stream had not followed due procedures to pursue payment, or in the steps taken to give notice of their intention to disconnect the supply and of the action Mr C could take if he wished to stop this happening. We found that Mr C had made a part payment but that this was too little too late because it was for a tenth of the sum owing and was only made after disconnection had taken place.