

## SPSO decision report

**Case:** 201202870, Business Stream  
**Sector:** water  
**Subject:** charging method / calculation  
**Outcome:** upheld, recommendations

### Summary

Mr C, who acts for an organisation in relation to their water costs, complained that following the discovery of a meter that supplied the organisation's office, Business Stream's charging had been inaccurate. The office received water from a private water supply, a water tower, which also supplied other properties. In the past, Business Stream only charged for waste water that the office discharged into the sewerage system. These charges were based on the rateable value of the property.

However, a metered water supply was then discovered. It was originally considered that this only supplied the office Mr C was representing and Business Stream started to charge for water and waste water based on this metered supply. This increased the water charges substantially. Mr C disputed the fact that this meter only supplied the office he represented. This was investigated and it was agreed that this was a back-up supply, which was in fact connected to the water tower and not the office. Business Stream's charging based on their view that the meter only supplied the office was, therefore, inaccurate.

Mr C also said that the landlord of the water tower was paying a fixed waste water charge in relation to the meter, and the organisation he represented was paying a fixed charge and volumetric charge for unmetered waste water supplied from the water tower. Business Stream's view was that it was appropriate that there were two separate fixed waste water charges; one for the back-supply for the water tower and the other for the private supply for the properties supplied by this. Business Stream had contacted Scottish Water who confirmed that there should be waste water charges for both the private supply and the metered supply. We were satisfied that Business Stream had considered the information Mr C had presented to them in relation to this and that they had consulted Scottish Water on this matter. We did not identify any maladministration in relation to Business Stream's decision on this. Where a body have discretion to make this kind of decision, we cannot question that decision if there is no evidence of maladministration.

However, the specific complaint that Mr C asked us to investigate was that, following the discovery of a meter which supplied his premises, Business Stream's charging had been inaccurate. In view of the fact that we found that the charging had been inaccurate, we upheld his complaint.

### Recommendations

We recommended that Business Stream:

- issue a written apology for charging the property inaccurately following the discovery of a meter.