

SPSO decision report

Case: 201205171, The City of Edinburgh Council
Sector: local government
Subject: statutory notices
Outcome: not upheld, no recommendations

Summary

Mr and Mrs C were unhappy with the council's handling of statutory repairs notices that had been served on their property. They complained that the council had failed to follow their own internal processes when awarding the contract for the statutory repairs, and to follow their procedures for checking that the work carried out was correctly invoiced. Mr and Mrs C said that the final account included items that had not been completed, unnecessary work, duplicate items and items not related to any statutory notice. Finally, Mr and Mrs C were dissatisfied with the council's response to their complaint about the issue of an emergency notice.

During our investigation we were provided with evidence that the council had responded to Mr and Mrs C's concerns and had explained that they were satisfied that the tendering process was in line with approved procurement procedures. We also found that they had fully considered Mr and Mrs C's concerns about the final account. Having thoroughly investigated the works carried out, they were satisfied that the project was competitively tendered, the costs were reasonable and the statutory notices were issued appropriately.

Finally, we found that, based on the available evidence, the council had considered and responded to Mr and Mrs C's representations about the issue of a statutory notice. In particular, they had explained that the decision to issue this was based on the professional judgement of the surveyor at the time of issue in 2008.