

SPSO decision report

Case: 201205173, Scottish Borders Council
Sector: local government
Subject: building standards
Outcome: not upheld, no recommendations

Summary

Mr and Mrs C complained about the council's handling of a building warrant and completion certificate issued for their property in 2001. Their concerns related to the foul drainage and surface water drainage systems at the property. Mr and Mrs C complained that the completion certificate should not have been issued as the drainage system built did not comply with the building warrant. In particular, they complained that the drainage system was not wholly contained within their property. They also complained about the council's handling of their representations.

During our investigation we were satisfied that the council had considered and had responded to the issues raised by Mr and Mrs C. They had explained that changes could be made to the plans without the need for an amendment to the building warrant, as long as the new layout complied with the relevant regulations, and that the building regulations did not require drainage systems to be wholly contained within individual properties. The council confirmed that it was the professional judgement of officers that the requirements of the building regulations had been met, and that the revised drainage had been inspected and tested. We were also satisfied that the council had considered and responded to Mr and Mrs C's representations.