

SPSO decision report

Case: 201301672, Business Stream
Sector: water
Subject: charging method / calculation
Outcome: upheld, recommendations

Summary

Ms C complained that Business Stream calculated her water charges using the historic rateable value (RV) of her premises. She explained that they had been revalued since then and the RV was now at a lower figure than that used by Business Stream. In Ms C's view, Business Stream's invoices were incorrect and too high.

Our investigation found that Business Stream's policy is to use the RV from 31 March 2000 unless the property has been built or modified since then. The RV may also be adjusted if the official RV has been successfully appealed. Business Stream took the view that, as Ms C had not provided evidence that her property had been altered, the default RV was being correctly applied.

We found evidence to suggest that structural modifications to Ms C's property led to an increase in the building's RV in 2005 and Business Stream were using this, as permitted by their policy. However, our investigation also established that the RV was significantly reduced in 2009 after a successful appeal by the landlord. We were critical of Business Stream for not checking and confirming this with the assessor, and for failing to amend Ms C's account so that charges were based on the lower RV.

Recommendations

We recommended that Business Stream:

- apologise to Ms C for calculating the drainage charges for her business incorrectly; and
- confirm the date that the rateable value appeal was upheld with the assessor, recalculate Ms C's account using the lower rateable value from that date and issue a refund for any overpayments.