

## SPSO decision report

**Case:** 201303467, Scottish Water  
**Sector:** water  
**Subject:** policy / administration  
**Outcome:** not upheld, no recommendations

### Summary

In developing his property, Mr C wanted to build over Scottish Water pipework. Scottish Water approved this, subject to certain conditions, including a requirement that the materials to be used for part of the development could not be plastic. As the project was cost-critical and time-critical, Mr C went ahead on the basis of that decision but then expressed his dissatisfaction to Scottish Water, who reconsidered and decided that, although not their preferred option, they were prepared to offer a compromise in that some of the material in question could be plastic. Mr C complained that, by the time of the revised decision, it was too late for him to apply it and, as the revised decision was a cheaper option, he had suffered financial loss by having implemented the first decision. He considered they should have agreed this the first time.

We explained to Mr C that these were decisions for Scottish Water, not for us, and that our role was limited to considering whether their decision-making had been reasonable. We concluded that it had been. For example, there were many reasons for the first decision, so it was clear that Scottish Water had considered the matter carefully. When they issued that decision, it was up to Mr C to go back to them to see if there was scope for amendment. Mr C's project was at a point where cost and time were so critical that he felt he had to go ahead with the work on the basis of the first decision, without waiting to see whether amendment might be possible, but this was not Scottish Water's responsibility. When Scottish Water were approached, they considered Mr C's points carefully and reached a prompt decision to offer a compromise solution. In other words, it was not that their first decision had been wrong: rather, it was that they were prepared to try to accommodate Mr C by thinking of an alternative, which was an example of good complaints handling.