

## SPSO decision report

**Case:** 201303860, South Lanarkshire Council  
**Sector:** local government  
**Subject:** building standards  
**Outcome:** not upheld, no recommendations

### Summary

Mr C complained that the council had failed to ensure that a properly accessible manhole cover was installed (in line with the approved drawings) at the development where he had bought a house. He also felt they had failed to confirm that the surface water drainage satisfied the approved plans and that his house's roof construction met the correct standards. Mr C had bought his house without a completion certificate being in place and he was unhappy at the steps the council had taken with the development.

In considering Mr C's complaints, we took account of the extent of the council's role and obligations. The evidence they provided – including Scottish Government guidance on the building standards system - indicated that it was not their role to effectively supervise the development or to ensure compliance with plans or drawings. In addition, the fact that the manhole cover was missing years after the development was completed did not, by extension, mean it was never in place. Although we could not confirm from the paperwork whether the manhole cover was ever in place, the evidence showed that the council's role was clearly less than Mr C had expected.

In terms of Mr C's second complaint, the council said they were not required to test the development's surface water system. They also said that this would not be part of the final inspection following an application for a completion certificate (noting that there had been no such application for Mr C's property). Mr C had indicated that the drainage system had actually been working successfully and the evidence again pointed to the council's limited role. Although his concerns were clear, there was no evidence that the council had done anything wrong.

Finally, the council told Mr C that enclosing the eaves of his roof was neither required under building regulations nor part of a final inspection. Rather, a roof would generally be visually inspected from ground level, with an intrusive inspection possibly following if the council felt it necessary. In light of the council's limited role with the development, we considered it clear they were not responsible for the quality of the builder's workmanship.