

SPSO decision report

Case: 201305166, The Highland Council
Sector: local government
Subject: policy/administration
Outcome: not upheld, no recommendations

Summary

Mr C complained that the council issued a notice saying that work needed to be carried out urgently to preserve a listed building that he had agreed to buy. The council then arranged for the work to be carried out and charged the owners for the costs. When Mr C later bought the property, the sale included a clause that meant that any costs that the council pursued against the previous owners could be recovered from him. Mr C considered that the council should have allowed the sale to proceed and should have then given him time to arrange for the work to be carried out.

We found that it was reasonable for the council to issue the notice and to arrange for the work to be carried out when they did. The sale of the listed building had not been completed, and its condition was deteriorating. Without urgent council intervention, there would have been nothing to prevent further deterioration and damage. He was also unhappy as he believed that the council had not issued the notice correctly, but we did not find evidence that anything was wrong in this.

Mr C also complained about the advice the council gave him about his planning application in relation to the building. He said that he followed their advice and submitted the application, but this was refused. We found, however, that the application he had submitted was for more extensive development than he had previously discussed with the council. There was no evidence that the council had provided him with incorrect advice.

Finally, Mr C complained that the council had not given him and the previous owners adequate advice about obtaining grants to restore the property. We found, however, that the council had provided adequate, timely and appropriate advice about grants both to him and to the previous owners.