

SPSO decision report

Case: 201508201, The City of Edinburgh Council
Sector: local government
Subject: statutory notices
Outcome: some upheld, recommendations

Summary

Mr C complained about the council regarding a statutory notice served for roof works affecting a property owned by him. He complained that he had not received a notice served notifying owners that the works would be executed. He also complained that the council had failed to provide a 20-year guarantee on materials and labour for works to a flat roof on the building which had been agreed before works commenced.

On investigation, the council provided copies of all notices served in connection with the works and we found no evidence that the council had failed to properly serve any notice. As such, we did not uphold this complaint.

However, it was clear from their correspondence with owners that a guarantee was agreed but never provided. We found that the council had failed to take reasonable steps to secure the guarantee from the contractor on completion of works. As such, we upheld this complaint. Following our enquiry the council were able to secure the guarantee from the contractor and provided copies of this to all affected owners.

Recommendations

We recommended that the council:

- apologise to Mr C for the failings identified.