

SPSO decision report

Case: 201600629, The City of Edinburgh Council
Sector: local government
Subject: statutory notices
Decision: upheld, recommendations

Summary

Mr C complained that the council failed to appropriately explain the charges relating to two statutory notices served in respect of a property of which he was one of the owners.

A tender process occurred and the contract administrator advised the owners of the property of the estimated costs. Subsequently, an update from the contract administrator advised owners of increased costs to the project. Owners of the property, including Mr C, raised concerns about this. Following the completion of the works the project was subject to a review by an independent external consultant. This review resulted in a number of reductions to the costs of the work.

Mr C complained to the council about the explanations they provided regarding the works. He requested further explanatory material from the council about reconciling costs through the course of the project. The council provided additional information on the expenses for the project, but they also relied on the professional judgement of the independent external consultant who said that the remaining costs were recoverable.

Having reviewed the relevant guidance, and the correspondence between Mr C and the council, we noted that there had been some shortcomings in the explanation given during the course of the works. We did acknowledge, however, that the council had subsequently sought a review of the project, applied a reduction to the costs and provided additional explanations. On balance, we upheld Mr C's complaint.

Recommendations

What we asked the organisation to do in this case:

- Provide Mr C with a copy of the relevant documents detailing changes in the costs to the project.
- Apologise to Mr C for the failures in communication highlighted in this investigation.

We have asked the organisation to provide us with evidence that they have implemented the recommendations we have made on this case by the deadline we set.