

REQUESTS FOR REFUND OF STATUTORY NOTICE ENQUIRY CHARGE

The purpose of this policy is to guide owners, conveyancers and officers of the City of Edinburgh Council ('the Council') in relation to requests for the refund of Statutory Notice Enquiry charges.

The Edinburgh Shared Repairs Service ("ESRS") currently processes approximately 3,000 Statutory Notice Enquiries per year. The typical turnaround period for information requests is 20 working days, however ESRS recognise that the purchase and sale of properties can often rely on property search and debt information being provided quickly. As such, while there is no requirement for the Council to provide this information outwith standard timescales, ESRS process Statutory Notice Enquiries within 10 working days. The Council's general power to advance well-being entitles the local authority to levy a reasonable charge for the provision of this information, the level of which was set at **£60.00 (incl. VAT)** as part of the Council's annual review of Fees & Charges in April 2021.

Customers should note that the fee is paid to cover the costs incurred by ESRS as part of the the Statutory Notice Enquiry process. This includes the material cost of providing this service, along with the time spent by officers in reviewing and preparing financial information.

ALL FEES ARE PAYABLE AT THE TIME OF LODGING THE STATUTORY NOTICE ENQUIRY AND ARE NON-REFUNDABLE.

- I. All fees are payable at the time of lodging and are non-refundable.
- II. Where details of a Statutory Notice Enquiry are incorrect or require to be amended, the customer may request this by contacting ESRS by email or in writing, provided the requested amendment is reasonable and submitted prior to the provision of the final report.
- III. Such amendments would include limited alterations to details such as flat positions, customer contact information or ownership details.
- IV. A request cannot be amended to a materially different property except in exceptional circumstances.
- V. Such circumstances may include the erroneous submission of duplicate Statutory Notice Enquiries, significant errors in the information submitted or demonstrable faults with the Council's Statutory Notice Enquiry Request Form. "Exceptional circumstances" will not be taken to include withdrawal by the customer due to a change in the sale or purchase of a property.
- VI. Any request to amend the details of a Statutory Notice Enquiry will be considered by the Edinburgh Shared Repairs Service Manager or their nominated officer, who will determine the response to the request based on the facts and circumstances.

VII. This decision will be final.

VIII. The customer may be called upon to provide documents or other information in support of a requested amendment.

IX. It is recognised that rules should be enforced in a fair and consistent manner. It is essential, however, that each case is treated on its merits and that decisions are reasonable in the circumstances.

X. This policy does not affect any right to raise a complaint under the Council's Complaints procedure.