

LOCAL GOVERNMENT OMBUDSMAN COMPLAINT DECISIONS 2016/17

Category	Summary of Decision	Decision			
		Not Upheld	Closed after initial enquiries	Referred back for local resolution	Upheld
Housing	Complainant alleged the Council unreasonably overpriced his property when selling it to him under the Right to Buy Scheme. LGO found no evidence of fault in the way the Council instructed its surveyor to value the property, or in the offer of sale it made to him. The Ombudsman was satisfied the Council followed professional advice from its valuer and had taken a consistent approach to other similar properties sold under the Right to Buy scheme.	✓			
Planning and Development	Complaint about the Council's actions following the complainant's application to carry out work on a tree in a conservation area and the subsequent making of a Tree Preservation Order. The Ombudsman decided the complainant had not suffered a significant injustice, as he could apply to the Council to prune the tree and would have a right of appeal should that application be refused.		✓		
* Housing	No record held of this complaint and no further details available from LGO.			✓	
Corporate and Other Services	Complaint that the Council contravened its own Terms of Reference when it undertook a Community Governance Review. The Ombudsman referred the complainant back to the Council. The complainant was offered a meeting to discuss the complaint, but declined. She requested a written response to her concerns and this was provided .			✓	
Planning and Development	Complaint regarding how the Council dealt with a Section 106 Agreement, alleging delay and additional costs. LGO decided the Council was at fault for issuing incorrect instructions to its solicitors and failing to spot an error until they were about to complete the Agreement. However, it was recognized that the Council did not charge for any duplicated or unnecessary work and that the complainant was required to pay for all work necessary to complete a correct S106 Agreement. The Council agreed to apologise to the complainant and pay them £100 in recognition of the delay. The Council also took steps to ensure all planning staff who instruct solicitors in planning agreements received appropriate training. The Ombudsman was satisfied this was an appropriate remedy for the complaint.				✓

* LGO has stated that the statistics comprise the data they hold, and may not necessarily align with the data held by the Authority. For example, their numbers include enquiries from people they signpost back to the Authority, but who may never contact the Council.