

LOCAL GOVERNMENT AND SOCIAL CARE OMBUDSMAN

COMPLAINT DECISIONS 2017/18

Category	Summary of Decision	Decision			
		Closed after initial enquiries	Advice given	Referred back for local resolution	Upheld
Planning and Development	Complainant alleged that the Council failed to deal with his concerns about his neighbour's faulty pipework promptly. The Ombudsman decided not to investigate the complaint as he had seen no evidence of fault in the Council's actions.	✓			
Corporate & Other Services	Complaint about the agreement the Council reached with a school about community access to a new leisure centre. The Ombudsman decided not to investigate the complaint as the events happened too long ago, it was unlikely that fault would be found, the complainant had not suffered a personal injustice and it was unlikely that the Ombudsman would achieve the outcome the complainant would like.	✓			
Planning and Development	Complaint regarding the Council's decision to put a Tree Preservation Order on a hedge consisting of a line of trees. The Ombudsman decided not to investigate the complaint as the complainant had not suffered a personal injustice and the LGSCO could not achieve the outcome he wants. The complainant was advised that he may challenge the validity of the Tree Preservation Order in the High Court.	✓			
Planning and Development	Complaint that the Council unreasonably approved a planning application for a change of use of a farm complex to a wedding venue. The Ombudsman decided not to investigate the complaint because there was no evidence of fault by the Council.	✓			
* Highways and Transport	No record held of this complaint and no further details available from LGO. However, as this is a Highways and Transport matter, it is likely the complainant would have been referred to the County Council.			✓	
Benefits and Tax	Complaint about the Council's handling of a long-standing council tax debt. The complainant had not been through the Council's formal complaints procedure, so the Ombudsman referred it back to the Council for consideration and response.			✓	

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* Corporate & Other Services	No record held of this complaint and no further details available from LGO.		✓		
Environmental Services & Public Protection & Regulation	<p>Complaint that the Council relied on inaccurate information when it made decisions about a high hedge complaint, failed to issue a remedial notice or direct her to the planning inspector and therefore she lost her right of appeal. The LGSCO upheld the complaint. The investigator stated that the Council failed to inform the complainant of her appeal rights on two occasions which created some uncertainty that there may have been a different outcome if she had appealed. The investigator also stated that the Council took too long to make decisions and did not adequately communicate with the complainant.</p> <p>The Council agreed to apologise for the delays, poor communication and uncertainty and to pay the complainant £200 in recognition of her time, trouble, and the uncertainty she experienced. The Council has also amended its procedure for dealing with high hedge complaints and given guidance to investigating officers about the importance of recording sufficient evidence to support their decisions.</p> <p>The Ombudsman was satisfied this was an appropriate remedy.</p>				✓

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