

STAFFORDSHIRE MOORLANDS DISTRICT COUNCIL

Standards Committee

21 November 2019

TITLE:	Local Government Ombudsman Annual Letter
PORTFOLIO HOLDER:	Councillor Ralphs - Council Leader SMDC
CONTACT OFFICER:	Customer Feedback Officer
WARDS INVOLVED:	Non-Specific

Appendices Attached – Local Government Ombudsman Annual Letter

1. Reason for the Report

- 1.1 To advise members of the content of the Ombudsman’s Annual Letter for the period April 2018 – March 2019.

2. Recommendation

- 2.1 That members note the content of the Ombudsman’s Annual Letter (included at Appendix A).

3. Executive Summary

- 3.1 The Local Government Ombudsman's Annual Review Letter summarises complaints and enquiries received. The letters are published on the Ombudsman's web site together with specimen data used to inform the Ombudsman's Annual Report.
- 3.2 In 2018/19 the Ombudsman received 6 new enquiries or complaints, compared with 12 in the previous year. Detail of the decisions made and investigated complaints in 2018/19 are summarised as follows-

Service Area	Complaint	Finding
Upheld (0)		
Not upheld (2)		
Planning &	Mr X complains about the	

Development	Council's decision to grant planning permission for use of green belt land near his home. Mr X says the Council wrongly took account of an enforcement notice and gave that notice too much weight in deciding the planning application. Mr X says the use has a devastating impact on him and his family and has destroyed the family's enjoyment of their home. Mr X wants the Council to stop the use or, at least, control it to reduce its impact on his family and home.	No Maladministration There was no fault in how the Council reached its decision to grant planning permission for development on land near Mr X's home.
Planning & Development	Mr X complains about the Council's actions over several years in allowing a children's care home to be situated next door to his house. In particular, he disputes the Council's decision in 2016 to grant a Certificate of Lawfulness of Existing Use allowing the continued operation of the care home. He also says he has complained about planning enforcement matters since that time but no action has been taken by the Council.	No maladministration There was no fault by the Council when it granted a Certificate of Lawfulness of Existing Use to a care home next door to Mr X. Its later judgement about a potential breach of planning control relating to the change of use was one it was entitled to reach. Mr X complains about the Council's actions over several years in allowing a children's care home to be situated next door to his house. Having limited the investigation to events from 2016 onwards, the Ombudsman found no fault with the Council's approach. It was entitled to make the decisions it did, based on its judgement of the evidence available to it.
Closed after initial enquiries (3)		
Planning &	The complainant, who I refer to	Closed after initial

Development	a Ms B, complains about the Councils handing of a TPO confirmed for trees on her property and that it did not properly follow its procedures.	enquiries – no further action
Planning & Development	Mr X complains about the way the Council dealt with his planning application and the decision itself.	Closed after initial enquiries – out of jurisdiction.
Planning & Development	The complainant, whom I shall call Mr A, says he has carried out improvements to a barn that has been in place for 30 years. The Council has served enforcement notices requiring him to remove the barn. The Council has also refused Mr A's retrospective planning application. Mr A made a second planning application and complains it took the Council 14 months to tell him it would not validate or consider the application.	Closed after initial enquiries – out of jurisdiction
Referred back for local resolution (1)		
Housing	We did not receive details of this complaint from the LGO	

3.3 A copy of the Ombudsman's letter is attached as an appendix to this report.

3.4 Members may also wish to note that the small number of complaints reaching the Ombudsman is set against a background of 119 complaints received by the Council in the period in question, which helps to illustrate the strength of the Council in ensuring complaints are dealt with promptly and appropriately.

4 Risks and Options

There are none to consider

5 Implications

5.1 Community Safety: No direct implications

5.2 Employees: No direct implications.

5.3	Equalities:	No direct implications.
5.4	Financial:	No direct implications.
5.5	Legal:	No direct implications.
5.6	Sustainability:	No direct implications.

Mary Walker
Assistant Chief Executive

**Web Links and
Background Papers**

Contact details

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