

## HIGH PEAK BOROUGH COUNCIL

### Standards Committee

15 November 2023

<b>TITLE:</b>	<b>Local Government Ombudsman's Annual Review Letter</b>
<b>EXECUTIVE COUNCILLOR:</b>	<b>Councillor Anthony McKeown - Council Leader HPBC</b>
<b>CONTACT OFFICER:</b>	<b>Karen Lomas – Head of Customer Services</b>
<b>WARDS INVOLVED:</b>	<b>None Specific</b>

### **Appendix A Attached – Local Government Ombudsman Annual Review Letter**

#### **1. Reason for the Report**

- 1.1 To advise the Committee of the content of the Ombudsman's Annual Letter for the period April 2022 – March 2023.

#### **2. Recommendation**

- 2.1 That the Committee notes the contents of the Ombudsman's Annual Letter at Appendix A.

#### **3. Executive Summary**

- 3.1 The Local Government Ombudsman's Annual Letter summarises complaints and enquiries received by it in relation to the Council. The Ombudsman's Letters are published on the Ombudsman's web site together with specimen data used to inform the Ombudsman's Annual Report.
- 3.2 In the past year the Ombudsman received **7** enquiries or complaints, of which **3** did not meet the LGO criteria for consideration. The Ombudsman made **4** decisions within this period . Details of the decisions made are listed with in the report.
- 3.3 A copy of the Ombudsman's letter is attached as an appendix to this report.

4. **How this report links to Corporate Priorities**

4.1 Complaints are important in assisting the Council to understand how well it performs in its ambition to be a customer first organisation.

5. **Alternative Options**

5.1 There are no options to consider.

**Mark Trillo**  
**Executive Director (Governance & Commissioning)**

**Web Links and  
Background Papers**

Details of complaints

**Contact details**

Karen Lomas  
Head of Customer Services  
Karen.lomas@highpeak.gov.uk

6. **Report Details**

6.1 Details of the decisions made by the Ombudsman are listed within the below table:

Service Area	Details of Complaint	Finding
<b>Upheld 3</b>		
<b>Not upheld (1)</b>		
<b>Closed after initial enquiries (3)</b>		
<b>22 001 292</b> <b><u>Upheld</u></b> Environmental Health/Anti-Social behaviour	Mr X complains that the Council has failed to respond properly to his complaints about his neighbour, Mr N, over the last two years.  Mr X says this has caused him distress and frustration. He wants the Council to take suitable action to get the matters resolved.	There was fault leading to injustice. If the Council agrees to my recommendations and subject to further comments by Mr X and the Council, I intend to complete my investigation.  Action by Council - Letter sent to customer with apology for the time delay.

<b>21004590/21018324</b> <b>Joint decision</b> from 21-22 and 22-23 <b>Upheld</b> Environmental Health/Anti-social behaviour	Ms B complains about how the Council handled her complaint about noise nuisance from a neighbouring pub.	There were some faults by the Council. To remedy the injustice caused by the faults identified, the Council has agreed to apologise in writing to Ms B and to pay her £400 to recognise the injustice caused to her from the faults found. The Council will complete the above actions within one month of the final decision.
<b>21 012 150</b> <b>Not Upheld</b> Planning	Mrs X alleges that the Council failed to properly consider the impact of development that unacceptably overshadowed and blocked light to her home.	I completed my investigation finding no evidence of fault in how the Council decided the application.
<b>22 008 864</b> <b>Closed after Initial enquiries</b> Council tax	We will not investigate this complaint about the Council recovering unpaid council tax from Miss X. There is insufficient evidence of fault to warrant an investigation.	There is insufficient evidence of fault to warrant an investigation.
<b>22 003 484</b> <b>Closed after initial enquiries</b> Planning Applications	Mr X complains about the Council's handling of a planning application and its decision to allow development on greenfield land.	We will not investigate this complaint. This is because we are unlikely to find evidence of fault by the Council
<b>22 004 091</b> <b>Closed after initial enquiries</b> Councillor Conduct and standards	We will not investigate this complaint about the Council's decision on a code of conduct complaint against town councillors. This is because the complaint does not meet the tests in our Assessment Code on how we decide which complaints to investigate. There is not enough evidence of fault by the Borough Council causing the complainant a significant personal injustice.	We will not investigate Ms X's complaint because there is not enough evidence that fault by the Borough Council has caused her a significant personal injustice.
<b>Advice Given 3</b>		
<b>Referred back for local resolution 0</b>		

6.2 The Council received **4** decisions from the Housing Ombudsman. No finding was made against the Council in any of the cases received by the Ombudsman. The Housing Ombudsman Service does not provide an annual letter.

6.3 Members may also wish to note that the small number of complaints reaching the Ombudsman is set against a background of **153** 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.

- 6.4 Below is a table showing Local Government Ombudsman figures for 13 Local Authorities. The average for upheld complaints across the 13 authorities is **60%**

	Complaints and enquiries received 2022/23	Decisions made 2022/23	Figures for Upheld / Not upheld (detailed investigations carried out)			
			Upheld	Not upheld	Total	% Upheld
Cannock Chase	8	2	2	0	2	100%
Castle Point	1	0	0	0	0	0%
Chorley	5	0	1	0	1	100%
Fenland	7	3	0	3	3	0%
Forest of Dean	4	1	1	0	1	100%
<b>High Peak Borough Council</b>	<b>7</b>	<b>4</b>	<b>3</b>	<b>1</b>	<b>4</b>	<b>75%</b>
Hinckley & Bosworth	6	1	0	1	0	0%
Kettering	1	1	0	1	0	0%
Rugby	7	2	1	1	2	50%
Selby	5	0	0	0	0	0%
South Derbyshire	5	2	1	1	2	50%
Staffordshire Moorlands	2	1	0	1	0	0%
Wyre Forest	1	0	0	0	0	0%

- 6.5 All complaints submitted to the Ombudsman have been reviewed through the internal process to ensure any lessons from the complaints to prevent a recurrence have been learned and embedded within the relevant service.

