

## COUNCIL

15 SEPTEMBER 2020

### REPORT OF THE MONITORING OFFICER

#### A.7 LOCAL GOVERNMENT AND SOCIAL CARE OMBUDSMAN

The Constitution (Article 12.03(a)) requires the Monitoring Officer to report to Council (or to Cabinet for executive functions) if any decision or omission has given rise to maladministration. Earlier this year, the Local Government and Social Care Ombudsman considered a case in relation to a planning enforcement matter. The complaint concerned the stated failure to resolve complaints to the service about a neighbouring development, causing a loss of enjoyment and stress. The Ombudsman found the Council failed to follow its planning enforcement policy and this amounted to injustice. An apology has been given to the complainant together with a modest payment for distress/uncertainty and also for the time and trouble in pursuing the complaint. Modest payments (as determined by the Ombudsman) are in the range £100-£300. An action plan was put in place and has been implemented to avoid a repeat. The Ombudsman's report is available on its website ([www.lgo.org.uk](http://www.lgo.org.uk)).

Planning Enforcement has been the subject of an Internal Audit review, the outcome and recommendations are actively being monitored. Updates are provided to the Council's Audit Committee on previously raised significant issues and further updates on Planning Enforcement will continue to be reported as appropriate.

It was initially intended to report the above to the programmed meeting of Council on 31 March 2020. Due to the national lockdown, and associated restrictions on meetings, in response to the Covid-19 pandemic at the time this meeting was cancelled. In submitting this report to Council now, it can be supplemented by the fact that the Annual Review Letter from the Local Government and Social Care Ombudsman for 2019/20 has now been received. The review letter identifies that in the year in question 28 complaints were determined by the Ombudsman about this Council and five of those were upheld. One of the five was resolved during the consideration by the Ombudsman. A further three were found to involve no injustice to the complainant. The three found to involve no injustice all concerned a single email about a single development and the complaints were from three individual neighbours of that property. The single case where there was maladministration and injustice is the one referred to in the first paragraph above.

This item is submitted for **INFORMATION ONLY**.