

COUNCIL

5 SEPTEMBER 2017

REPORT OF THE MONITORING OFFICER

A.7 LOCAL GOVERNMENT 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. The Ombudsman has recently considered three cases where some fault has been found with the Council.

Case 1 and 2

These both relate to the same planning enforcement matter concerning an unauthorised extension to a property and the use of that property as a dwelling. There were two complainants both of whom were challenging the extent to which the enforcement notice had been complied with. Whilst the Ombudsman did not find any fault with the way that the enforcement decision had been reached, she did find fault in the communication with both complainants and some information that had been provided to them. On the recommendation of the Ombudsman procedures have been reviewed and letters apologising for this miscommunication have been sent to both complainants.

Case 3

This relates to a housing matter. The Ombudsman has found fault in the way the Council dealt with a request for help with housing and in the way it dealt with a subsequent homelessness application. The Ombudsman has not commented on whether the final decision is considered to be the right one, but has been critical of the decision making process, particularly the evidencing of what factors were considered in reaching the decision or how the Council has fulfilled its homelessness duties. The Ombudsman has recommended that the homelessness application be reconsidered and that a financial remedy totalling £750 be paid to recompense for time the complainant was unable to appeal because an early decision was not made, for injustice and for anxiety and stress caused. These actions have been done.

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