

Key Decision Required:	No	In the Forward Plan:	No
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CABINET

15 DECEMBER 2017

REPORT OF THE MONITORING OFFICER

A.2 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. The Ombudsman has recently considered a case in relation to a complaint about noise and fumes nuisance. The Ombudsman has concluded that the complaint regarding noise nuisance was properly investigated. However, the conclusion regarding the fumes complaint was that the Council was not able to demonstrate sufficient evidence to show that the fumes complaint had been properly investigated. The final decision of the Ombudsman is that the Council should:-

- a) Apologise to the complainant for its failure to properly investigate complaints and pay her £100;
- b) visit the site if further problems are reported;
- c) consider how it records investigations of possible statutory nuisances and inform the Ombudsman of action it proposes to take in the next two months.

These actions have been undertaken.

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