

**COMPLAINTS TO LOCAL GOVERNMENT AND SOCIAL CARE OMBUDSMAN OR HOUSING OMBUDSMAN BY SERVICE AREA 2021/22**

**Local Government and Social Care Ombudsman**

Service	Ombudsman	Details	Ombudsman's Decision
Development Management (Planning and Enforcement)	3	The complaint stated there was no suitable surface water drainage scheme in place for a development resulting in flooding issues on land.	<p><b>Not upheld:</b> No Maladministration.</p> <p>No fault in the Council's decision making process.</p>
		The complaint stated that there were infringements of planning permission granted to neighbour resulting in flooding issues on land. The Council found no infringement.	<p><b>Upheld:</b> Maladministration. Injustice.</p> <p>The Ombudsman found fault with the way the Council communicated with complainant and concluded that the complainant was put to unnecessary time and trouble following up the complaint. However, this is the extent of the injustice this fault caused. It is unlikely that earlier contact and action by the Council would have led to a different outcome in relation to the main complaint issues.</p> <p><b>Recommended action:</b> £100 payment in recognition of the avoidable time and trouble experienced by the complainant.</p>
		<p>The complaint stated that the Council failed to take enforcement action and wrongly said planning permission was not required for a development.</p> <p>The complainant also stated that the Council had threatened action under the Council's unreasonably persistent complainant policy when legitimate concerns were being raised.</p>	<p><b>Upheld:</b> Maladministration Injustice</p> <p>No evidence of fault in how the Council handled enforcement matters. The Council should have dealt with concerns appropriately without making reference to the persistent and unreasonable complainants policy.</p>

			<p><b>Recommended action:</b></p> <ul style="list-style-type: none"> <li>• Apologise to complainant for warning that the Council would apply the persistent or unreasonable complainants policy; and</li> <li>• Send a memo to officers to remind them of the circumstances in which a resident can be warned about the application of the persistent or unreasonable complainants procedure.</li> </ul>
Revenues and Benefits	1	The complaint stated that the Council did not process a business claim for the Covid-19 small business grant. They were unaware the Council had not received the claim until after the scheme had closed. The complainant also complained the Council provided no appeals process for the scheme.	<p><b>Not upheld:</b> No maladministration.</p> <p>There was no fault in the Council's administration of the COVID-19 small business grant scheme. Although the complainant's business did not receive a grant, they could not say this was because of an error by the Council. The Council agreed to make a discretionary payment to the business.</p>
<b>Total</b>	<b>4</b>		

### Housing Ombudsman

Service	Housing Ombudsman	Details	Housing Ombudsman's Decision
Information Governance and Complaints	1	The complainant is complaining that they were previously classified as a persistent and unreasonable complainant.	Pending decision
<b>Total</b>	<b>1</b>		

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<b>Service</b>	<b>Ombudsman</b>	<b>Details</b>	<b>Ombudsman's Decision</b>
Development Management(Planning)	3	Council didn't deal with the new build application correctly.	<b>Upheld:</b> No maladministration No injustice.  The Council failed to identify a breach during initial visit.
		Lack of response to enquiry and issues raised regarding project	<b>Closed after initial enquiries</b> Out of jurisdiction
		Concerns with Officer's report re development next door	<b>Not investigated</b> Late complaint (over 12 months)
Development Management (Enforcement)	1	Fence - Enforcement case	<b>Closed after initial enquiries</b> Out of jurisdiction.
Housing – Private Sector	1	Refused rent in advance and deposit scheme regarding renting out property to tenant	<b>Not upheld</b> No maladministration
Tax & Benefits	1	Refusal for a small business grant fund application. Minstead Community Shop Ltd	<b>Not upheld:</b> No maladministration
Legal/Corporate Complaints	1	Parish Councillor complaint	<b>Closed after initial enquiries:</b> No further action

<b>Total</b>	<b>7</b>		
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**Housing Ombudsman : 0**