

Chief Executive escalations and cross service complaints 2018/19

Across service complaints summary

CEX service complaints:	2
Number of cross service complaints:	4
Number of escalations to the Chief Executive:	14
<i>Of these 14 escalated complaints:</i>	
Referrals to the LGSCO	7, of which the LGSCO declined to investigate 5.
Escalated complaints breakdown:	
Planning enforcement	4
Planning applications	2
Other planning	2
Environmental enforcement	1
Environmental Health matters	1
Benefits and Council Tax	1
Tree works	1
Insurance matter	1
Licensing	1

CEX service complaints and/or cross service complaints

Date	Subject Matter	Response	Lessons Learnt/Changes made	Date of Closure
12 Nov 18	<p>CEX complaint: Complaint to CEX alleging that there has been a “cover up” by the Council and that the corporate director has refused to cooperate with them.</p> <p>This is further to a complaint to Planning and Building that the sewer system feeding their property has been severed and blocked off by the occupiers of the property next to theirs. Also alleged that the initial survey undertaken by the P&B department was incorrect and raised queries regarding Council Tax relief.</p>	<p>Response from CEX reiterating that the concerns regarding the sewage system remain a civil matter. The corporate director has met with, and had extensive communication with the complainant and there is no evidence of refusal to assist or obstruction. The complainant has been directed through the correct channels for complaints and signposted to the complaints procedure.</p>		29 Nov 18
21 Mar 19	<p>CEX complaint: Complainant is unhappy that they were sent Test Valley News via the post, as they consider this to be a waste of money and bad for the environment. Particularly as they have opted into e-billing for their Council Tax bill.</p>	<p>Email from Complaints and Communications Officer to confirm that the Council is looking at various options and ways to digitalise communications with residents, as part of an ongoing wider strategy. Part of this will be looking at how residents want to receive the newsletter as well as considerations around data protection and other factors.</p>		26 Mar 19

18 Apr 18	<p>Cross service complaint with H&EH and P&B</p> <p>Complainant had an issue with a neighbour's tree branches overhanging their car parking area, causing sap and bird droppings to fall on their car as well as falling branches. They were advised by Environmental Health that this was a private dispute as the tree was on private land.</p>	<p>Response from H&EH HoS to reiterate that the problem described is not actionable under the legislation referred to (the Environmental Protection Act 1990). Also advised that as they had concern regarding tree branches falling, this has been raised with P&B tree team.</p> <p>P&B advised that overall the tree appears to be in fair condition, has obviously received attention and does not require any further work at this time. Response from P&B HoS to complainant to confirm this.</p>		20 Apr 18
22 May 18	<p>Cross service complaint with ENV and CSU</p> <p>Resident ordered a garden waste bin online but nothing arrived after 10 working days. They are unhappy with the lack of delivery date information once item was paid for and they felt the CSU officer's attitude was not helpful when they enquired about it.</p>	<p>Unfortunately the bin had been delivered to the wrong address. The matter has now been corrected and the bin delivered to the correct address.</p> <p>The complaint was discussed with the CSU advisor and the manager left a voicemail for the resident apologising for their experience and inviting them to contact the manager again if they wished to.</p>	<p>To ensure that deliveries are made to the correct address. CSU advisors reminded of the importance of dealing with complainants politely and professionally.</p>	30 May 18

4 Oct 18	<p>Cross service complaint with C&L and HEH:</p> <p>Resident is unhappy about “the state of the High St in Andover due to the mess created by the person camped outside M&S.” They are also unhappy about antisocial behaviour occurring in town.</p>	<p>Response from the HEH HoS, providing clarification on what action the Council is taking in these matters.</p>		11 Oct 18
29 Nov 18	<p>Cross service complaint with C&L and HEH:</p> <p>The resident is upset at the trees being cut down behind their property, which acted as a screen from the industrial estates. They now believe they will have significant noise pollution and lack of privacy from the industrial estate. The complainant also previously submitted a claim for alleged damage to their white sofa due to cat walking in fruit in garden from the trees prior to them being cut.</p>	<p>Response sent explaining that the Council's insurers are looking into the damage to sofa.</p> <p>An officer visited the site and responded with clarification on why the work was done, explaining that the elder tree responds well to coppicing and will regrow from the cut stump to fill the space. The existing holly would also grow into the available space. The boundary hedge is intact.</p>	<p>To ensure residents are informed of tree works near their properties.</p>	17 Dec 19

Complaints escalated to the Chief Executive

Date	Subject Matter	Response	Lessons Learnt/Changes made	Date of Closure
20 Apr 18	Multi-service complaint regarding neighbour's tree causing damage to their car with P&B element escalated as complainant unhappy with HoS response.	CEX response reiterating that the HoS relied upon the expert advice of the Council's arboriculturalist who has inspected the tree in question. This does not require works to be done to it and therefore there is nothing further to add to the previous response. Signposted to LGSCO.	To be sensitive to the difficulty of managing expectations of the public.	20 Apr 18
17 May 18	Escalated complaint regarding the Article 4 Direction over land at Timsbury. The complainant is still waiting for a response to the Subject Access Request they submitted, and does not agree with points made in the stage 1 response.	Letter from Corporate Director in CEX absence reiterating stage 1 response and advising that the SAR is currently being progressed. Email also sent from L&D HoS to complainant to confirm.		6 Jun 18
17 Jul 18	Complaint escalated to CEX regarding rodent activity and baiting. The complainant believes the source of the activity is stemming from the neighbouring garden due to the state of the gardens.	CEX response clarifying no evidence that this is the case and reiterating what has previously been investigated.	To continue to do our utmost to reconcile the expectations of the public with our legal position.	27 Jul 18
19 Jul 18	Escalated complaint regarding the advice officers gave in response to a P&B query.	CEX response reiterating previous clarification and that there had not been incorrect advice given.		17 Aug 18

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27 Jul 18	Escalated complaint as resident is unhappy with a conservation enforcement matter.	CEX letter reiterating clarification on enforcement matter and that the officers dealt with the breach correctly.		14 Aug 18
17 Aug 18	Escalated complaint regarding a discrepancy in Council Tax and the Benefits Officer who dealt with call, who they believe was rude to them. They do not believe the matter was dealt with correctly by the manager.	Letter from CEX reiterating previous apology from the manager, dated 16 Aug, for any upset caused and that the matter had been raised with the particular Officer who tried to answer the Council Tax Support query as best they could and that this is now resolved. Reiterated that the complaints procedure had been followed correctly and the Officer's Manager had dealt with the complaint appropriately.		24 Aug 18
7 Sept 18	Complaint regarding lack of enforcement action against an alleged breach concerning hedgerow planting.	CEX response providing clarification and detailing the previous action taken. The council's approach is consistent with advice from both the Landscape Gardening Officer and the Royal Horticultural Society, which advises planting to be carried out in the planting season, and is both reasonable and proportionate.	To continue to do our utmost to reconcile the expectations of the public with what the Council considers to be proportionate and reasonable enforcement actions.	21 Sept 18
17 Oct 18	Escalated complaint as the complainant's private hire operator license was refused. Complainant also claims Licensing department	CEX investigated and responded advising route to appeal and provided clarification around confidentiality and that there was no obstruction in following	To reconcile the expectations of the public with the legally prescribed procedures	09 Nov 18

Date	Subject Matter	Response	Lessons Learnt/Changes made	Date of Closure
	has been obstructive and unhelpful and also raised a further issue of confidentiality.	the correct process.	followed for licensing matters.	
8 Jan 19	Escalated complaint alleging fly tipping of soil near resident's property as they remain unhappy with the lack of enforcement action.	CEX response to advise that there was insufficient evidence and reasons given why it is not appropriate to proceed with formal enforcement action at this time		24 Jan 19
25 Jan 19	<p>Escalated complaint regarding the A303 services being occupied in breach of condition 7 and an allegation that it is endangering road safety.</p> <p>Second email as the complainant remains unhappy with the CEX response.</p>	<p>CEX response confirming that the breach of control has been dealt with properly and in accordance with National Planning Guidance, taking the views of Highways England fully into account.</p> <p>Second response explaining that Highways England remains in discussion with the owners of the site to resolve the outstanding issues, in order to enable the access to be used without traffic management in place. As the work involves some work to the public highway, it can only be undertaken within the scope of a legal agreement between the applicant and the Secretary of State for Transport. For this reason, it is not expedient for the Council to take</p>		12 Feb 19

Date	Subject Matter	Response	Lessons Learnt/Changes made	Date of Closure
		enforcement action.		
6 Feb 19	Escalated complaint as they are unhappy with the decision to remove a Willow tree and would like an explanation as to why requests for contact prior to the works were ignored.	CEX response apologising for the lack of response to their latter correspondence. CEX explained that the decision to fell the tree was based on the judgment of a professional arboriculturalist, taking into account the species, position of the tree and informed by the complaint of it growing into to a private boundary and the long term implications of this.		26 Feb 19
22 Feb 19	Escalated complaint that the Council has failed to compensate for considerable damage caused by a tree falling.	CEX response advising that LGSCO will not investigate a complaint until it has completed the local authority's complaints procedure. Email confirmed that the complaint is premature, as the matter is still with the Council's insurers and that as the matter has now had a stage 2 response, the complainant can now approach the LGSCO.	This is a current insurance claim.	28 Feb 19

Date	Subject Matter	Response	Lessons Learnt/Changes made	Date of Closure
31 Mar 19	<p>Escalated complaint that incorrect information has been provided relating to planning applications and enforcement action has not been taken.</p> <p>Second email asking for clarification on points raised in CEX letter.</p>	<p>CEX response clarifying the requirements of Class A, Part 6 of the General Permitted Development Order (GPDO) and confirming that the situation remains under investigation by the Planning Enforcement team now that the building has been erected.</p> <p>Second response providing clarification.</p>	<p>To continue to do our utmost to reconcile the expectations of the public with what the Council considers to be proportionate and reasonable enforcement actions.</p>	17 Apr 19
28 Mar 19	<p>Escalated complaint regarding the manner in which a planning application was determined and that there were inadequate photographs presented as part of the report.</p> <p>The complainants allege that there is a “casual approach” undertaken by the Planning and Building Service and that there is a failing of governance within it.</p>	<p>CEX response advising that the case officer did enter the site and walk the footpath to assist with the assessment of the proposed development.</p> <p>The Head of Planning and Building has reminded his team of the need to ensure adequate photographs are presented at committee meetings to assist members understanding of any proposal.</p> <p>Although there are factors that could have been improved, the report did provide Members with adequate information to make their decision.</p>	<p>To ensure adequate photographs are presented at committee meetings and additional training provided for all officers attending the committee meetings.</p>	17 Apr 19