

## Appendix 3: Quarter 1 Report on Complaints and Freedom of Information and Environmental Information Regulations Enquiries

### Complaints

Summary of Complaints in YTD	Q1	Q2	Q3	Q4	YTD	2017/18 Target
Number of Complaints Received in Quarter:	3				3	<20
Percentage of responses dealt with in accordance with agreed deadlines (15 working days for Stage One, 20 working days for Stage Two)	100%				100	
Number of Complaints in Quarter regarding an Authority Member:	0				0	-

Complain t Ref, Date Made and Stage	Service and Reason for Complaint	Date Response Sent	Outcome	Any Change in Processes/Practices as a Result of Complaint Investigation
C.430 07/04/17 Stage One	Development Management  Complaint regarding handling of a planning application	21/04/17  Within 15 working day deadline	Apologised for the lack of dialogue with Complainant during the course of the planning application. Explained the Authority's usual approach is to have dialogue with applicants and agents. There were clear concerns about the scale, form and design of the extension which may have been capable of being addressed through amendments, however it is likely that they would have been quite significant amendments. The reference to errors on the plans is not a significant matter and could have been raised with Complainant during the course of the application and corrected. If the extension had otherwise been acceptable, then the Caseworker would have done this. Unfortunately at the time the Caseworker had a high workload following the lengthy absence of a colleague. Although the Complainant did not seek pre-application advice before submitting the application, which is normally charged for, the Authority would be prepared to waive the fee, in this instance, if the Complainant wished to discuss a revised scheme.	None required.

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C.431 07/04/17 Stage One	<p>Development Management</p> <p>Complaint regarding handling of a planning application and raising the following issues:</p> <ol style="list-style-type: none"> <li>1. Failure to adhere to the requirements of Planning Policies set out in PDNPA documents</li> <li>2. Failure to require the applicant to supply required information to accompany a planning application as set out in the Local List:</li> <li>3. Non-objective report from the PDNPA Planning Officer</li> <li>4. Inconsistencies in planning decisions</li> <li>5. Failure to defer the decision due to exceptions</li> <li>6. Failure to respond to concerns.</li> </ol>	27/04/17  Within 15 working day deadline.	<p>Stage One: The issues raised were responded to:</p> <ol style="list-style-type: none"> <li>1. This matter was addressed in the Planning Committee report and was considered by the Committee following a site visit by Committee Members. Members looked at alternative sites that were referred to and considered the proposed site was acceptable and available.</li> <li>2. The 'Local List' is not a statutory list. It is retained on the Authority's website for guidance and the list is currently being reviewed. There is no legal requirement to submit the information referred to but the Authority can ask for it if it is deemed necessary. The Authority consulted on the application in accordance with its adopted procedures.</li> <li>3. The Parish Council views were reported accurately, the report referred to the number of individual letters of objection received at the time of writing the report and additional representations were reported verbally at the Committee meeting. The removal of a tree was pointed out to Members in the officer briefing. The CPRE representation was summarised, as is the Authority's practice, but it should have made clear what the CPRE position was, however it is not considered that this had a prejudicial effect on the outcome. Planning officers considered the Built Environment report and the siting of the houses, they considered that moving the houses would raise other issues as they would then be very close to the houses to the south of the site. The Acting Team Manager presented the report at Committee, which is in line with usual Authority practice, and she was briefed by the Caseworker. It is acknowledge that officers are not always able to answer all questions at the meeting. In this instance a check was made with the applicant's agent after the meeting regarding the sewer and a planning condition will be included to require the submission and approval of drainage details.</li> <li>4. The two cases referred to reflect how the planning system deals with a wide range of planning considerations and the need to balance these to make sound decisions, but they were not comparable with the application proposals.</li> <li>5. The officer's report stated that it was considered that the proposal was in accordance with the Authority's policies.</li> </ol>	<p>Planning officers to be reminded of the following points:</p> <ol style="list-style-type: none"> <li>1. Committee reports are important and should be as complete a summary of the issues as possible, whilst also balancing this with the benefit of succinctness</li> <li>2. Committee reports are also important in being as complete a summary of the issues as possible, whilst balancing this with recognition that the report is a necessary summary of the views of others</li> <li>3. When officers cannot fully answer a question or give full certainty in a Committee meeting they should say so.</li> </ol>
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<p>10/05/17 Escalated to Stage Two</p>	<p>The Complainant was unhappy with the response to the following issues:</p> <ol style="list-style-type: none"> <li>1. the failure to adhere to the requirements of planning policies</li> <li>2. the non-objective report from</li> </ol>	<p>08/06/17 – extension of time agreed to 15/06/17</p> <p>Response sent 15/06/17 –</p>	<p>6. The Director of Conservation and Planning had responded to previous emails from the Complainant and explained that, in common with most Planning authorities, it was not the Authority's practice to respond in detail to questions asked in individual representations. The response to representations is the Planning officer's report and this deals with issues raised.</p> <p>Stage Two: the complaint was reviewed by the Chief Executive and the issues raised responded to:</p> <ol style="list-style-type: none"> <li>1. The Chief Executive concluded that the Planning Committee had sufficient information provided by officers to make a decision on the matter. She also concluded that the Committee was not misled in any way on this matter and they made a sound decision.</li> <li>2. The officer report gave information on the Parish Council's views on the site selection process and gave the officer's assessment on the suitability of the site for development – this is an objective assessment on the information available. The report gave the Parish Council's views in full, so could not be fairer. As set out in the Stage One response the report was not misleading regarding the trees and the Committee had the necessary information to enable them to make a sound decision. However the information could have been set out more fully within the report and officers will be reminded that reports need to be as complete a summary of the issues as possible whilst also being succinct. Also supported the Complainant's concern that some important statements were omitted from the report and the comments of consultees could have been more comprehensive. Officers will also be reminded that reports to Committee should balance with a recognition that the report is also a summary of the views of others. Agreed with complainant that when an officer is unable to answer a question they should say so and officers will be reminded of this. In this case the officer answered regarding the sewer in good faith and the matter was not critical to the</li> </ol>	
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	the PDNPA planning officer	within agreed extension time.	determination of the application. 3. Apologised that Complainant found the end of the Stage One response to be patronising and insulting, this was not the intention. The paragraph sought to explain the purpose of the complaints process and that it was not about a disagreement with a decision. The officer accepts that this could have been expressed differently.	
C.432 11/05/17 Stage One	Visitor Experience Development  Complaint regarding issues relating to Traffic Regulation Orders within the National Park.	01/06/17 – extension of time agreed to 12/06/17 (due to officer's pre-booked leave)  Response sent 09/06/17 – within agreed extension time.	Refuted allegations of sarcastic response by officer. Complainant felt standardised responses to correspondence regarding TRO issues had been used and did not address points raised. Officer responses were reviewed and found that points raised had been addressed. Complainant was asked to identify issues they thought needed more clarity. Stated that although an element of standardisation is in responses, each piece of correspondence received is given consideration and officers endeavour to address all of the individual issues raised, giving a reasoned explanation where their view is not in accordance with the Complainant.	None required

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#### Update on Complaints Reported in Previous Quarters – No updates at present

Complaint Ref, Date Made and Stage	Service and Reason for Complaint	Date Response Sent	Outcome	Any Change in Processes/Practices as a Result of Complaint Investigation
C.424 26/01/17 Ombudsman  Stage One reported in Quarter 3 and Ombudsman complaint originally reported in Quarter 4 of 2016/17.	Planning Service  Complaint about the process followed by the Authority when it granted a planning application submitted by Complainant's neighbour. Complainant alleges the Authority did not tell them about the application despite being the closest neighbour. The Complainant also alleges only one site notice was displayed for a short period of time and that the Parish Council was not notified of the application.	28/02/17  Within Ombudsman's deadline.	Ombudsman Decision: There is no evidence of fault in how the Authority dealt with a planning application from the Complainant's neighbour and the complaint is not upheld.	None required

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#### Quarter 1 Report on Freedom of Information (FOI) and Environment Information Regulation Enquiries (EIR)

Quarter	No. of FOI Enquiries dealt with	No. of EIR Enquiries dealt with	No. of Enquiries dealt within time (20 days)	No. of late Enquiry responses	No. of Enquiries still being processed	No. of referrals to the Information Commissioner
Q1	8	10	18	0	2	0
Q2						
Q3						
Q4						
Cumulative						