

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

#### Complaints

Summary of Complaints in YTD	Q1	Q2	Q3	Q4	YTD	2019/20 Target
Number of Complaints Received in Quarter:	4	7	4		15	<20
Percentage of complaints dealt with in accordance with agreed deadline of 15 working days	100%	100%	100%		100%	
Number of Complaints in Quarter regarding an Authority Member:	1	1	0		2	-

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.470 18/10/19 Stage One  07/11/19 Escalated to Stage Two	Development Management Service  Complaint regarding lack of decision regarding an enforcement case and lack of response to initial queries.	Stage One: 07/11/19  Within 15 working day deadline.  Stage Two: Due by 05/12/19 extended to 20/12/19, sent 19/12/19	Stage One: Advised that the enforcement investigation is ongoing. The complainant is aware that he will be contacted when a decision is made on the way forward with the site.  Stage Two: Reviewed complaint regarding lack of enforcement action and advised that due to the seasonal nature of the site use, it has not been active in recent months. Also the officer dealing with the issue has now been off work for several weeks, so the case is being reallocated. However, if an unauthorised use recommences and continues, it will be investigated and pursued.	None required.
C.471 18/10/19 Stage One	Development Management Service  Complaint regarding removal of	Stage One: 07/11/19	Stage One: Advised Complainant of the legislation relating to unauthorised signage, and what steps should be taken if considering regularising the use of signage at the site.	None required.

07/11/19 Escalated to Stage Two	signs by Authority officers from outside a campsite.	Within 15 working day deadline.  Stage Two: Due by 05/12/19 extended to 20/12/19, sent 19/12/19	Stage Two: Reviewed complaint and accepted that if posters or placards identify the person who displayed them, they should be contacted to give them an opportunity to remove them. As the signs subject to the complaint included a phone number the Authority should have made contact to give opportunity to remove signs, apologised that this was not done. Advised that signs can be returned or collected, but they should not be put up again without consent.	
C.472 08/11/19 Stage One	Development Management  Complaint regarding numerous signs being put up in the Park advertising events.	19/11/19  Within 15 working day deadline	Explained the Authority's enforcement procedures with regard to such signs and stated that the Authority exercises discretion in these matters, and only takes enforcement action (including prosecution): where it is necessary; where it is in the public interest to do so; and, where it is a good and proportionate use of resources. As the signs subject to the complaint were temporary prosecution would not be viable, so the Authority has contacted the event organiser and agreed that for future events, some temporary signage may be erected, providing there is no landscape impact or highway safety issues, and that the signage is removed as soon as the event has concluded.	None required.
C.473 18/12/19 Stage One	Visitor Experience Development  Complaint regarding issues relating to the use of the Monsal Trail for Parkruns.	19/12/19  Within 15 working day deadline	Responded to issues raised. Advised Complainant that it is not a requirement for the Authority to be involved in carrying out risk assessments for other organisations. The Parkrun organisers have implemented new signage, have additional marshals and have re-located the pre-briefing meeting to an area off the Trail. The event has been monitored twice by the Authority, advised we do not routinely monitor events that are taking place in the Park but have done so promptly	None required.

			in response to the issues raised in this complaint.	
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### Update on Complaints Reported in Previous Quarters

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
C459 24/09/19 Ombudsman (receipt reported in Q2)	Engagement  Complaint regarding only being able to book a PDNPA event on-line and no alternative way of booking for those without access to a computer.	25/11/19  Within Ombudsman deadline.	Responded to Ombudsman's enquiries. Awaiting decision from Ombudsman.  (Stage One and Stage Two complaints reported in Q1)	
C467 19/09/19 Stage Two  (Stage One reported in Q2)	Development Management  Complaint regarding lack of response and action with regard to enforcement complaints relating to a public house including: <ol style="list-style-type: none"> <li>1) Erection of stainless steel extractor fan</li> <li>2) Erection of flag pole</li> <li>3) Erection of marquee and associated noise and disturbance in a conservation area</li> <li>4) Parking of a HGV on site</li> </ol> Complainant also requested clear clarification of whether or not the marquee required planning	Response due by 17/10/19 but due to officer's leave extension to deadline agreed until 24/10/19.  However due to officer's other commitments response not sent until 06/12/19	Complaint reviewed and concluded that the erection of the marquee for temporary periods is not development requiring planning permission. If circumstances change and the marquee remains on site for lengthy periods, then this can be reviewed. Advised with regard to noise, whilst this can be a material consideration if planning permission is required, we cannot take it into account in determining whether planning permission is required. It is therefore appropriate that the District Council deal with this as an environmental health matter, as they have done.	None required.

	permission.			
C469 16/09/19 Stage Two  (Stage One reported in Q2)	<p>Development Management</p> <p>Complaint regarding handling of a planning application including the following issues:</p> <ol style="list-style-type: none"> <li>1) Full information has not been given to members of the committee about the unique problems of the site because a site visit has not been organised for all members</li> <li>2) Recommendation of approval of the application would be given without any access and construction management plan having been seen and approved</li> <li>3) It is intended to recommend approval of a 5-bedroom holiday house without adequate consideration having been given to the implications and impact of this decision on the local community</li> <li>4) Virtually no consideration has been given to the parking issues</li> <li>5) Virtually no consideration has been given to the access issues.</li> </ol>	<p>Response due by 24/12/19, extension of deadline agreed to 31/12/19</p> <p>Response sent 30/12/19 within agreed extension.</p>	<p>Responded to points raised as follows:</p> <ol style="list-style-type: none"> <li>1) A site visit was arranged but not all Members were able to attend and attendance is not compulsory. Photographs of sites and their setting are used at Committee meetings to help Members understand key issues.</li> <li>2) The ordering of the conditions does not necessarily reflect the importance of conditions as they are all important and must be complied with. Their placing does not diminish their importance. The process for discharging conditions (nationally, not just in this National Park) is that details are submitted but they are not routinely subject to the same consultation process as a planning application, so we would not normally consult the Parish Council or neighbours - we may consult the Highway Authority as it has recommended the condition. The details of any application to discharge the condition will be posted on our website.</li> <li>3) Refuted this allegation as the Committee report considers the issue in detail.</li> <li>4) This is also considered in detail in the Committee report and includes the Highway Authority's views. Explained why the Authority must have regard to the response from the Highway Authority and that it is not unusual for a Parish and local people to express concern about access and parking issues, whilst the Highway Authority does not object, but Government planning policy is that the highway impacts must be "severe" to justify refusal of the application.</li> <li>5) Response as in 4 above.</li> <li>6) Response as in 4 above.</li> </ol>	None required.

	6) Virtually no consideration has been given to the road safety issues.			
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**Quarter 3 report on Freedom of Information (FOI) and Environment Information Regulation Enquiries (EIR)**

<b>Quarter</b>	<b>No. of FOI Enquiries dealt with</b>	<b>No. of EIR Enquiries dealt with</b>	<b>No. of Enquiries dealt within time (20 days)</b>	<b>No. of late Enquiry responses</b>	<b>No. of Enquiries still being processed</b>	<b>No. of referrals to the Information Commissioner</b>
Q1	6	6	12	0	2	0
Q2	3	14	17	0	0	0
Q3	4	3	6	1	3	0
Q4						
<b>Year end (cumulative)</b>	<b>13</b>	<b>23</b>	<b>35</b>	<b>1</b>	<b>0</b>	<b>0</b>