

Quarter 1 & 2 Report on Complaints and Freedom of Information and Environmental Information Regulations Enquiries

Complaints

Summary of Complaints in YTD	Q1 & Q2	Q3 & Q4	YTD	2018/19 Target
Number of Complaints Received in Quarter:	10		10	<20
Percentage of complaints dealt with in accordance with agreed deadline of 15 working days	57%			
Number of Complaints in Quarter regarding an Authority Member:	0		0	-

Complaints Received

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.494 15/04/21 Stage 1	<p>Planning Service</p> <p>Complaint regarding delegated authority given to Officers in determining planning applications.</p> <p>Complainant considers that there was a breach of planning procedures regarding pre-application advice given by a consultant on behalf of the Authority, and that the permission should be paused and reconsidered at Planning Committee. Also considers that there have been</p>	<p>04/05/2021</p> <p>Within 15 working day deadline.</p>	<p>Responded as follows:</p> <ul style="list-style-type: none"> The Authority's design guide gives guidance but all applications are assessed on their own merits. That the decision was made by the planning officer under delegated powers, the majority of the Authority's planning applications are dealt with this way and use the same criteria as decisions taken by Members at Planning Committee. Due to staffing issues an external planning consultant was used but they have to adhere to the National Park's adopted policies and guidance. Due process was followed in the guidance provided to the applicant's architect. Advice was given to the applicant as part of a 	<p>The Authority should ensure, when planning consultants work on its behalf, that it has copies on file of any guidance provided by the consultant.</p>

	excessive allowances made in approval of the size of the development.		previous application rather than as pre application advice to the application in question. At the time the Authority was not providing the pre-application advice service, therefore the information given was guidance. As such, it wasn't documented in the same way as more formal pre-application advice would have been, and wasn't published as a background document to the application.	
C.495 27/04/21 Stage 1	Planning Service Unacceptable delays in processing complainant's planning application. Lack of contact, no replies to emails or phone calls.	Within 15 working day deadline	Head of Service had telephone call with Complainant to discuss issues raised.	
C.496 27/05/21 Stage 1	Engagement Service Confronted by bulls, cows and calves in field with a public footpath. Complaint believes that the location of the livestock in this field was dangerous.	02/06/2021 Within 15 working day deadline	Officer visited site to investigate. Farmer was made aware of the incident. At the time of the Officer visit cows were safely in an adjacent field, where they should have been previously but a fence had been damaged. The fence has been secured. Highways Authority also informed. They will decide if any further action is necessary.	None
C.497 18/06/21 Stage 1	Planning Service Neighbouring property have changed the level of their garden, in pursuance of a planning permission granted in 2015. This causes significant inconvenience and loss of privacy to the complainant, who was not notified of the application.	08/07/2021 Outside 15 working day deadline	Complaint initially referred to Planning Area Team but subsequently transferred to Monitoring and Enforcement Team on 07/07/2021 Complainant was advised that the matter would be investigated as an enforcement enquiry and a Monitoring and Enforcement Officer would check the works had been carried out in accordance with the 2015 planning permission, a discharge of condition on a previous application granted in 2018, which required a scheme of landscaping to be submitted and implemented. Following investigation, the complainant was informed on 16/8/21 that the development was in accordance with the permissions, although some trees which had died were to be	None

			replaced in Autumn 2021.	
C.498 23/06/21 Stage 1	<p>Planning Service</p> <p>Discharge of conditions application</p> <ol style="list-style-type: none"> 1. Customers enquires have not been responded to. 2. Site visits have been refused when customer believes they could have been carried out safely under COVID 19 regulations 3. Listed building consent process is too adversarial. 4. No attempt to understand the application within the context of the surrounding buildings, or within the use of the application site. 	<p>19/07/2021</p> <p>Outside 15 working day deadline.</p>	<p>Apology offered to complaint for lack of communication.</p> <p>Explanation provided as to why increased number of planning applications, staff resources and the pandemic have led to this situation and that measures are being put in place to improve service.</p>	None
C.499 09/07/21 Stage 1	<p>Planning service</p> <p>The Authority has granted permission for the extension of the beer garden at a pub neighbouring the complainant's property.</p> <p>This has removed the space previously utilised by delivery vehicles, which now have to park in the access road, regularly causing it to be blocked and obstructing access to neighbouring properties.</p> <p>Complainant believes these matters should have been taken into consideration when assessing the application and that a "road safety condition" should have been</p>	<p>18/08/21</p> <p>Outside 15 working day deadline</p>	<p>Confirmed accuracy of response previously given by Monitoring and Enforcement Team:</p> <ol style="list-style-type: none"> 1. Parking of vehicles in the access road is not a breach of planning control so the Authority cannot prevent it 2. The Planning Permission did not propose a change of use only physical alterations to the pub and beer garden so it would not have been reasonable to include a condition requiring off street parking 3. Advice given to direct any issues via a civil case, the Police, or the Highways Authority 	None

<p>Stage 2 18/08/21</p>	<p>imposed.</p> <p>This had been referred to the Authority's Monitoring and Enforcement Team but had not been resolved to the complainant's satisfaction</p> <p>Complaint escalated to Stage 2.</p> <p>The Authority's explanation as to why a condition could not be attached is inconsistent.</p> <p>The development is causing safety issues and the previous rear entrance has been deliberately obstructed with garden furniture to stop vehicles entering.</p> <p>The complainant has already contacted the Police, the Highways Authority and the pub owners and been advised that they cannot assist.</p> <p>Complainant requests the Authority issue a discontinuance order.</p>	<p>Not responded to by target response date 24/09/2021</p> <p>Extension of time requested until 08/10/2021</p> <p>Will be reported in Q3</p>		
<p>C.500 20/07/21</p>	<p>Planning Service</p> <p>Complaint regarding lack of communication and misinformation received in relation to progress on planning applications the Complainant was acting as Agent for, and the effect this has had on</p>	<p>Target response date 10/08/2021</p>	<p>Complaint withdrawn following further discussion with Officers.</p>	<p>None</p>

	Complainant's business.			
C.501 30/08/21 Stage 1	<p>Engagement Service</p> <p>Complainant reserved a tandem trike by telephone. This is the only type of bike that the complainant is physically able to use.</p> <p>On arrival at the cycle hire centre, complainant was informed that the trike was not available and never had been. No apology was offered and complainant feels they were dealt with rudely.</p>	<p>07/09/2021</p> <p>Within 15 working day deadline</p>	<p>Apology offered for poor customer service. This has been discussed with the staff involved.</p> <p>The trike had been withdrawn from service recently and so a mistake had been made.</p> <p>A free days bike hire offered as compensation.</p>	<p>Ensured all cycle hire staff are aware that the tandem trike is no longer available.</p> <p>Extra training provided to remove any confusion over the names of the different accessible bikes available, and the experience will be incorporated into future scenario training.</p>
C.502 08/09/21 Stage 1	<p>Planning Service</p> <p>Lack of engagement from the Authority with the Agent, despite the application being under consideration for 21 weeks. Several unsuccessful attempts were made by the Agent to contact the case officer.</p> <p>The first contact the agent had was the decision notice outlining refusal of permission.</p> <p>Agent feels that issues could have potentially been ironed out if the Authority had engaged with them during the process</p>	<p>Response due 08/10/2021 and will be reported in Q3.</p>		
C503. 22/09/21 Stage 1	<p>Planning Service</p> <p>Complaint regarding lateness, and inconsistency of advice given by</p>	<p>Response due 13/10/2021 and will be reported in Q3</p>		

	Planning Officer and Manager, leading to delays throughout the process and resulting in an authorised scheme which is unsatisfactory to the applicant.			
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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
C.491 23/03/21 Stage 2 Stage 1 reported in Quarter 4 of 2020-21	Landscape and Conservation Service Complaint regarding lack of communication by an Authority Officer regarding permission to remove a sycamore tree from complainant's property At Stage 2 complainant further alleged that historic visits by a previous tree officer were not documented by the Authority and that the Stage 1 complaint had not been investigated	Extension of time requested from complainant 22/04/2021 Response sent 07/05/2021 13 days over 20 working day deadline	Apologised to complainant for untimely responses to his enquiry and advice given by Officers which appeared inconsistent. Confirmation provided to complainant that his previous correspondence does not constitute a legal notification to the Authority that would permit him to fell the tree Confirmed that visits by the previous Officer which took place several years ago were not documented. However if any permission had been given, it would have expired. The Authority has subsequently changed its procedures and all enquiries are now logged. An investigation into the matter was carried out at Stage 1 Further advice and clarification offered regarding the best course of action for the tree concerned.	Officers asked to ensure advice given is consistent in future.

Ombudsman	Complainant referred matter to Ombudsman.	19/07/2021	Ombudsman declined to investigate as there was insufficient evidence of fault by the Authority and as an apology had already been offered no further worthwhile outcome would be achieved.	None
C.493 26/03/21 Stage 1 Receipt of complaint reported in Quarter 4 of 2020-21	Planning Service Complaint regarding potential enforcement breaches, where field shelters have been erected without planning permission. Complainant feels discriminated against for following correct planning procedures when others' actions have gone unnoticed. Also alleged lack of action by Officer in that enforcement matters reported by complainant were not investigated.	12/04/2021 Within 15 working day deadline	Confirmed to complainant that the advice given to him was in the context of his own enquiry as to whether his proposed development required planning permission, rather than in the context of him reporting enforcement breaches for investigation by the Authority. Apology given to claimant for any misunderstanding and confirmation provided that potential enforcement matters are now being investigated. However this will not have any bearing on the outcome of the complainant's own proposal which still requires planning permission.	None

Quarter 1 and 2 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	7	9	16	0	2	0
Q2	7	8	15	0	2	0
Q3						
Q4						
Year end (cumulative)	14	17	21	0	4	0