

Annual Report on Complaints for Period 1st April 2023 to 31st March 2024

Summary of Complaints in YTD	April – Sept	Oct - March	YTD	Target
Number of Complaints Received per 6 months:	14	7	21	<20
Percentage of complaints dealt with in accordance with agreed deadline of 15 working days	92%	100%	-	-

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
Ref. C549 03/04/23 Stage 1	Planning Complaint regarding the quality of service of the Planning department and how long it took for an application to be processed.	Holding response sent 21/04/2023	Complaint was WITHDRAWN following one-to-one meeting with Planning Officer.	N/A
Ref. C550 19/04/23 Stage 1	Planning and Law Anomalies in decisions made by 2 Authority Officers on two applications for replacement windows.	26/04/2023 Within 15 working day deadline	Explained that the differing viewpoints were due to a difference in applications, not opinions. Further explained why the application was refused in line with policy.	None required
Ref. C551 19/04/23 Stage 1	Asset Management Complaint regarding camping and car parking issues and the information not being clear on the booking website. Seeking a refund.	07/06/2023 Outside 15 working day deadline	Apologised for any confusion but stated it is made very clear at a number of stages during the booking process that if parking is required it has to be reserved as part of the process. No refund issued.	None required

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Ref. C552 24/04/23 Stage 1	Planning Failure to consult with complainant and their neighbours regarding the application at a neighbouring site and lack of response to complainant after contacting the Authority on two occasions.	25/04/2023 Within 15 working day deadline	The application had not yet reached the stage of public consultation. Assured the Complainant that they would be notified of the application when it reached the stage of public consultation.	None required
Ref. C553 26/04/23 Stage 1	Planning Complaint concerning planning issues at a neighbouring site and actions of site owner.	11/05/2023 Within 15 working day deadline	The Complainant thought the application had been amended but in fact the building hadn't been finished and therefore looked different to how they were expecting it to. Issues of antisocial behaviour referred to by the Complainant were outside the remit of the Authority.	None required
Ref. C554 18/05/23 Stage 1	Landscape Complaint regarding communication from an Authority Officer to the complainant's Estate Agent.	07/06/2023 Within 15 working day deadline	The Complainant was informed that the steps taken by the Authority were consistent with other sites of environmental significance that are for sale. Also stated the Authority was not interfering with the sale of the property as it was the estate agent's choice whether or not to disseminate the information.	None required
Ref. C555 18/05/23 Stage 1	Planning Complaint regarding a PDNPA Officer and their actions while on a site visit.	18/05/2023 Within 15 working day deadline	Explained that the officer was working within standard practices and that, although he gave the Complainant factually accurate responses, he could have been more sensitive to the Complainant's situation considering the stress of the application and personal issues. The officer did not seek to intentionally upset anybody and the purpose of the visit was to try and establish whether a way forward could be found with the current application.	None required

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Ref. C556 26/05/23 Stage 1	Planning Complaint regarding delay to final decision on a planning application.	07/06/2023 Within 15 working day deadline	Explained that the delays to the application were due to a lack of information being submitted by the Complainant and the length of time it took for this information to be supplied. Following a site visit it became apparent that the site plan submitted was incorrect and a new one was requested which added to the delay.	None required
Ref. C557 05/06/23 Stage 1	Asset Management Complaint regarding the condition of the public toilets at Millers Dale car park and querying why the toilets at Tideswell Dale were closed.	13/06/2023 Within 15 working day deadline	Agreed that the condition of the toilets was not up to a decent standard and deep clean arranged. Advised that the toilets at Tideswell Dale were not closed but that they had a stiff door.	Toilets at Millers Dale now being cleaned 3 times per day. The stiff door at Tideswell Dale toilets will be improved.
Ref. C558 14/06/23 Stage 1	Law Stage One complaint regarding length of time taken to deal with a lawful development certificate application and lack of response to emails and telephone calls.	29/06/2023 Within 15 working day deadline	Explained the delay in responding was caused by a member of staff's retirement and the subsequent increase in workload for another case officer which was compounded by the case officer being on regular sick leave. This was also why the case officer had not replied to some of the Complainant's correspondence. Apologised and advised another legal officer had been recruited to help to reduce the caseload.	None required
Ref. C559 17/07/23 Stage 1	Planning Complaint regarding handling of an application. Applicant alleged they were misled about the purpose of a condition and therefore were unable to provide the correct information leading to the application being refused.	01/08/2023 Within 15 working day deadline	Acknowledged that the Planning team had not been clear in explaining the need for the condition which, if corrected, could have altered the outcome of the application and apologised. The complainant's new application would have its fee waived and would be prioritised to ensure it was processed quickly.	Waive fee for new application and ensure it is processed quickly.

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<p>Ref. C560 21/08/23 Stage 1</p> <p>Stage 2 05/10/23</p>	<p>Planning</p> <p>Complaint regarding closure of enforcement case with no outcome concerning adverse site activities at a bus garage.</p> <p>Escalated to Stage Two with query regarding non-investigation of bus numbers operating from site.</p>	<p>Stage One - Response due 08/09/2023 – extension agreed.</p> <p>Response sent 03/10/23.</p> <p>Stage Two – Response due 26/10/23 – extension agreed.</p> <p>Response sent 30/10/23.</p>	<p>Stage One - Explained how the enforcement investigation was conducted and that it found little historic supporting information regarding the extent of the site at the time of the relevant permissions. In considering the available information it was found that though there was no clear evidence and the limited evidence available suggested that the relevant condition was being complied with.</p> <p>Stage Two – Found that additional area became available to the operators in early 2010 and had been used for parking vehicles since then. Whilst no planning application submitted it had become an established use over a 10 year period and as such benefited from planning permission, but without being subject to the same conditions as apply to the principle areas of the bus operator’s site and which were controlled by the Planning approvals in 1990 and 1998. This meant that 19 buses could lawfully operate from the site as a whole not just the 16 permitted by the 1998 permission. Legal advice on these matters was sought and confirmed that the conditions only applied to the original area and that from the evidence available only 16 operational buses were using the consented area. Advised that the operation of the site, such as noise, early hours of operation or blocking of access routes are not covered by the terms of the 1998 conditions, Complainant can raise these points with other statutory bodies.</p> <p>Ombudsman Complaint not investigated – Ombudsman found they were unlikely to be able to question the Authority’s decision not to take action or that they could achieve any worthwhile outcome for the Complainant by investigating further.</p>	<p>None required</p>
<p>Ombudsman 16/01/24</p>	<p>Complaint referred to Ombudsman</p>	<p>Ombudsman decision received 16/01/24</p>		

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<p>Ref. C561 13/09/23 Stage 1</p> <p>Stage 2 04/10/24</p>	<p>Information and Performance Management</p> <p>Complaint regarding information given to him regarding pruning trees and insisting he completes an application for statutory tree works when the trees are not covered by a Tree Preservation Order.</p>	<p>Stage One - 26/09/23</p> <p>Within 15 working day deadline</p> <p>Stage Two – 11/10/23</p> <p>Within 20 working day deadline.</p>	<p>Stage One – confirmed there was no requirement to complete a formal form to notify the Authority, though it is helpful to use one to obtain all necessary information to process the notices and publish information to meet our obligation to maintain a Section 211 register.</p> <p>Stage Two – Apologised that Customer Services Team had requested completion of application for tree works instead of acknowledging the notification of works to trees in a conservation area and that our customer service wasn't provided to the expected level in this instance. Will ensure our Tree Conservation Officer works with the Customer Services Team to ensure there is consistency in how we respond to Section 211 notices and that they understand when works require acknowledgement of notification or an application for statutory tree works.</p>	<p>Tree Conservation Officer to work with Customer Services to ensure respond to S211 notices appropriately and that they understand when works require acknowledgement of notification or an application for statutory tree works.</p>
<p>Ref. C562 26/09/23 Stage 1</p> <p>Stage 2 17/10/24</p>	<p>Planning</p> <p>Complaint regarding an Authority Officer's handling of a planning application.</p> <p>Escalated to Stage Two</p>	<p>Stage One - 13/10/23</p> <p>Within 15 working day deadline.</p> <p>Stage Two – 06/11/23</p> <p>Within 20 working day deadline.</p>	<p>Stage One – apologised for absence of original case officer due to illness and for any confusion caused by change of officer. Confirmed that consistent and correct advice on the application process had been given however, this cannot prejudice any due consideration and process that must be gone through as part of any planning process. Explained the application of policy and that objections had been considered. Confirmed could find no issues with the position the Officer had taken in this case as he had simply tried to uphold the important criteria of policy.</p> <p>Stage Two – acknowledged that Complainant had experienced stress and upset from their experience and apologised for this. Found that all planning procedure was correctly followed but have raised Complainant's concerns directly with the Officer. Found that policy and procedure were</p>	<p>Officers to be reminded of duty to be as clear as possible in explaining policy and procedure and helping applicants to understand different facets of the planning system.</p> <p>Relevant Officer to be made aware to consider tone of communications</p>

Ombudsman 07/12/23	Complaint referred to Ombudsman	Ombudsman decision received 07/12/23	correctly followed by the Officer and that the Stage One complaint was fairly and reasonably investigated with the findings communicated in a clear and professional manner. Complainant is entitled to appeal the planning decision. Ombudsman Complaint not investigated – Complainant has right of appeal to Planning Inspectorate.	with applicants.
Ref. C563 12/10/23 Stage 1 Stage 2 03/11/24	Planning Complaint regarding the tone, content and appropriateness of a consultation response from an Authority Officer which was submitted to Sheffield City Council and request that it be withdrawn. Escalated to Stage Two and included lack of response from Officers over rewilding proposals.	Stage One - 01/11/23 Within 15 working day deadline. Stage Two – 16/11/23 Within 20 working day deadline.	Stage One – advised that it is not the role of any consultee to make the overall planning balance but to raise issues from their area of interest. Explained the reasoning for the consultation response and concluded that there were several areas where the Complainant had failed to understand the different remit of the National Park Authority and the work we are required to do, including using our influence to ensure that other public bodies also have proper regard to the weight needed to conserve and enhance natural beauty and wildlife. Also several areas referred to suggest Complainant has not been aware of our approach to managing work across the Planning Service. Consultation response not withdrawn. Stage Two – confirmed a comprehensive response was made at Stage One and that the Officer making the comments understood the proposal, legislative context and applied and interpreted National Park policy correctly insofar as it relates to the conservation of the National Park landscape and special qualities. Reiterated that the Authority was a consultee on the application and it was for Sheffield City Council to weigh up the balance of evidence on the application, including the Authority’s consultation response, and supported the conclusion not to withdraw the Authority’s comments on the application. Confirmed that Officers had contacted the Complainant’s clients regarding the rewilding proposals and they were awaiting a response from them.	None required.

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<p>Ref. C564 31/10/23 Stage 1</p> <p>Stage 2 31/12/23</p>	<p>Resources</p> <p>Complaint regarding the serving of an enforcement notice on the Complainant's property and the way in which it was dealt with including alleged potential maladministration.</p> <p>Escalated to Stage 2 with additional issues including errors of fact in an email from CEO.</p>	<p>Stage One – 16/11/23</p> <p>Within 15 working days deadline.</p> <p>Stage Two – 23/01/24</p> <p>1 day over 20 working day deadline.</p>	<p>Stage One – Apologised for mistake in annex and any confusion this caused, it was purely an unintentional error and did not affect the validity of the enforcement notice. Concluded that the legislative reference in the letter enclosing the notice of variation and enforcement notice was a typographical error, apologised for this and any confusion caused. It was not deliberate or intended to mislead. With regard to non-receipt of decision notice Agent had asked to receive via email only however unable to verify this or the email sent to agent enclosing decision and apologised. Planning Service will be asked to check their process for sending out decision notices.</p> <p>Stage Two – Clarified the request for documents via email only by the Agent arose during the pandemic and other Agents are continuing this, however as this Agent had not confirmed this should be continued paper copies now being sent instead. Whether this arrangement was formally agreed or not does not appear to have any bearing on the application or appeal process. The wording used in the response from the CEO to the MP reflected that used by the MP and was not material to the planning process. The delay in sending documents was due to unforeseen staff absences however this was not a regular occurrence and had no bearing on the process.</p>	<p>Planning Service to check their process for sending decision notices to try to reduce the risk of non-receipt.</p>
<p>Ref. C565 23/11/23 Stage 1</p>	<p>Planning</p> <p>Complaint regarding handling of a planning application by Consultants on behalf of the Authority.</p>	<p>13/12/23</p> <p>Within 15 working day deadline.</p>	<p>Explained why using Consultants and how the application was handled. The use of consultants had been essential due to recruitment issues. There were some core differences of view on design matters which the Consultant as case officer attempted to resolve and this was backed up through the signing off stage. Apologised for length of time taken in reaching a decision.</p>	<p>None required – staffing levels in Planning Service have improved since the complaint was received.</p>

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<p>Ref. C566 12/01/24 Stage 1</p> <p>Stage 2 12/02/24</p>	<p>Senior Management Team and Resources</p> <p>Complaint against the Authority and specifically two Authority Officers regarding removal of items from land owned by the Complainant and alleged damage to the land.</p> <p>Escalated to Stage Two with additional issues of common law and alleging that not all interested parties were notified of actions.</p>	<p>Stage One - 02/02/24</p> <p>Within 15 working day deadline.</p> <p>Stage Two - 06/03/24</p> <p>Within 20 working day deadline.</p>	<p>Stage One – confirmed that the actions of the Authority and its employees to remove the items and undertake works as set out in the enforcement notice were legal. All staff employed by the Authority and involved in the case were legally undertaking their duties, there is no premise for their removal from public office. The Complainant was given details of how to collect the items removed and as the items were taken legitimately no compensation will be paid. Again, as the Authority had the necessary powers and authority to take the actions it did no apology will be issued. Refuted allegations of harassment.</p> <p>Stage Two – Stated that common law was not applicable in this case. The Complainant had not returned the PCN questionnaires so information had been obtained from the Land Registry. This showed 2 registered owners, one of which was the Complainant. Reiterated that information had been given on how to collect the items taken, no compensation would be paid and no apology issued as the Authority had the necessary powers and authority to act as it did.</p>	<p>None required.</p>
<p>Ref. C567 12/01/24 Stage 1</p> <p>Stage 2 12/02/24</p>	<p>Resources</p> <p>Stage One complaint against an Authority Officer regarding lack of evidence of actions.</p> <p>Escalated to Stage Two with additional issues of common law and alleging that not all interested parties were notified of actions.</p>	<p>Stage One - 02/02/24</p> <p>Within 15 working day deadline.</p> <p>Stage Two - 06/03/24</p> <p>Within 20 working day deadline.</p>	<p>Stage One – confirmed that letters were sent to landowners and the charge shown on the land registry on two separate occasions. Complainant was made aware, in letters, that the Authority did not require consent from any of the landowners to undertake the enforcement action.</p> <p>Stage Two - Stated that common law was not applicable in this case. The Complainant had not returned the PCN questionnaires so information had been obtained from the Land Registry. This showed 2 registered owners, one of which was the Complainant.</p>	<p>None required.</p>

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Ref. C568 12/02/24 Stage 1	Assets and Enterprise Complaint regarding the process for deciding on a replacement bridge	13/02/24 Within 15 working day deadline.	Responded to explain the process taken, reasons for the replacement bridge and funding proposals.	None required.
Ref. C569 29/02/24 Stage 1	Resources Complainant alleged their lawful contact with Authority Members was blocked.	18/03/24 Within 15 working day deadline.	Responded to confirm email trail checked and issue resolved.	None Required.

Complaints Review

Since 2015, at Members' request, we have included a review and update on trends in complaints over the past 3 years in the year-end report.

Numbers of Complaints Received Over Last 3 Years										
Year	No of Total Complaints				No of Stage 1 Complaints		No of Stage 2 Complaints		No of Ombudsman Complaints	
Period 1 April to 31 March	Received	Withdrawn	Against Planning Service	Against Other Services	Planning Service	Other Services	Planning Service	Other Services	Planning Service	Other Services
2021/22	17	2	11	6	10	5	3	1	1	2
2022/23	38	5	31	7	25	4	2	0	2	0
2023/24	21	1	11	9	11	9	3	4	2	0

The following trends in complaints have been identified:

2020/21 – Development Management Service (now Planning Service): handling of planning applications and enforcement issues.

Other Services: – Covid-19 related issues and actions of officers

2022/23 - The sharp increase in the number of complaints made against the Planning Service was due to community action regarding one particular enforcement site. This site was also the subject of the two complaints which were escalated to the Local Government Ombudsman, neither of which were upheld. If this community action was considered as one “super complaint” then the annual total would be much closer to the “less than 20” target.

Other Services: Actions of Officers.

2023/24 – One complaint during this period was withdrawn, so the total received to compare against the target is 20. This is significantly less than last year. Trends identified are handling of planning applications and actions of Officers for Planning Service and actions of Officers in handling issues for Other Services.

Any changes in practices or learning from complaints are actioned after a complaint has been responded to and shown as part of the complaints report for the year.