

Ombudsman Complaints Received - 2012/13

| No. | Date Complaint Received | Service Area                   | Summary of Complaint                                                                                                                                                                        | Ombudsman Finding                                                                                                                                                                                                                                                                                                                                                                         |
|-----|-------------------------|--------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 1.  | 3 May 2012              | Council Tax/Housing Benefit    | Complaint that the Council had incorrectly made assumptions about the complainant's entitlement to benefits when determining the complainant's Council Tax and Housing Benefit applications | <p>Complaint not investigated as the complaint fell outside of the Ombudsman's jurisdiction as more than 12 months had passed since the complainant became aware of the decisions complained about.</p> <p>The LGO noted that correspondence seen by the LGO revealed that the complainant was aware of the reasons for the deductions in the complainant's benefits.</p>                 |
| 2.  | 11 May 2012             | Planning                       | Complaint that the Council had not ensured a building was built in accordance with submitted plans.                                                                                         | <p>Complaint not investigated as the Council had not been given the opportunity to consider the complaint under its internal complaints procedure.</p> <p>Following consideration of the complaint by the Council the complainant was advised that site visits had revealed no breach of planning control. Complaint not pursued further.</p>                                             |
| 3.  | 15 May 2012             | Planning                       | Complaint that a commercial business was being operated without planning permission.                                                                                                        | <p>Complaint not investigated as the Council had not been given the opportunity to consider the complaint under its internal complaints procedure.</p> <p>Following consideration of the complaint by the Council the complainant was advised that the Council were continuing to monitor the site to ascertain whether there had been non-compliance. Complaint not pursued further.</p> |
| 4.  | 9 May 2012              | Homelessness                   | Complaint that the Council had not treated the complainant properly when presenting as homeless                                                                                             | Complaint not investigated. Insufficient evidence of Maladministration.                                                                                                                                                                                                                                                                                                                   |
| 5.  | 1 June 2012             | Housing Benefit/Legal Services | Complaint that the Council acted unreasonably when it pursued the complainant for a Housing Benefit overpayment and did not stop enforcement proceedings quickly when the                   | No evidence of fault found                                                                                                                                                                                                                                                                                                                                                                |

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|     |                   |                     | complainant claimed to have repaid the debt in full.                                                                                                                                                                                                             |                                                                                                                                                                                                                                                         |
| 6.  | 7 June 2012       | Housing             | Complaint that damage had been caused to the complainant's decorations following a rewire and that the amount of compensation offered by the Council was insufficient for the complainant to be able to return the property to a reasonable state of decoration. | Investigation discontinued following the Council's agreement to pay £400 to make good the complainant's decorations.                                                                                                                                    |
| 7.  | 23 July 2012      | Planning            | Complaint that the Council did not protect the complainants' amenity in relation to a number of developments on a site close to their home.                                                                                                                      | No evidence of maladministration or a significant injustice could be found.                                                                                                                                                                             |
| 8.  | 24 September 2012 | Housing             | Complaint that the Council delayed in dealing with concerns about anti-social behaviour and the condition of the complainant's neighbour's garden.                                                                                                               | No sufficient reason to investigate                                                                                                                                                                                                                     |
| 9.  | 30 October 2012   | Planning            | Complaint about the Council's decision to grant planning permission to build a house on land it owns adjacent to the complainant's property.                                                                                                                     | No maladministration in the way the Council determined the planning application and no grounds therefore for the complaint to be pursued.                                                                                                               |
| 10. | 19 December 2012  | Standards Committee | Complaint that the Council failed to follow proper procedure when the Assessment Sub-Committee of the Standards Committee decided not to take further action about the alleged behaviour of a parish councillor during a parish meeting                          | Complaint not investigated. Ombudsman has no power to consider complaints about a parish councillor. Even if an investigation were to find fault with this decision, the impact on the complainant does not justify the public expense of investigation |
| 11. | 23 January 2013   | Planning            | Complaint about the way the Council consulted the public on the proposed West Lancashire Local Plan, and the evidence it obtained through the consultation.                                                                                                      | No grounds to pursue an investigation further into the complaint.                                                                                                                                                                                       |
| 12. | 07 February 2013  | Street Scene        | Complaint that Council bin men:<br>a) removed the contents of the complainant's wheelie bin when it had not been put kerbside for collection<br><br>b) left the emptied bin on the                                                                               | The impact on the complainant was not enough to justify the public expense of an investigation.                                                                                                                                                         |

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|     |                  |         | complainant's drive which made it clear nobody was home.                                                                                      |                                                                                                |
| 13. | 19 February 2013 | Housing | Complaint that Council refused to pay compensation for improvements undertaken by the complainant to the complainant's previous Council home. | Complaint not investigated - insufficient evidence of maladministration on the Council's part. |