

OVERVIEW AND SCRUTINY

DATE OF MEETING: 9 AUGUST 2022

TITLE OF REPORT: Local Government & Social Care Ombudsman – Annual Review Letter 2022

Report of: Monitoring Office

Key Decision: No

Confidentiality: No

PURPOSE OF REPORT

1. The purpose of this report is to receive the Local Government and Social Care Ombudsman (The LG&SCO) Annual Review Letter 2021 (attached as Appendix 1). It contains a summary of statistics on complaints and enquiries made to the LG&SCO about Hart District Council for the year ending 31 March 2022.

RECOMMENDATION

2. The report is for information only.

BACKGROUND

3. The LG&SCO investigates allegations of maladministration that have caused injustice to the complainant. Most council services can be investigated including some areas of housing, planning, education, social services, council tax, housing benefit and highways.
4. The LGO provides dispute resolution services free of charge to the complainants. It will usually only become involved after a council's complaints procedure has been exhausted.
5. If the LGO finds the body investigated acted with fault, which caused the person an injustice, it will recommend a remedy to put things right. The LGO remedies are aimed at putting the person back in the position they would have been were it not for the fault. Where appropriate it also recommends action to avoid similar issues affecting other people – such as reviewing practice and procedure – and can recommend remedies for other persons affected by faults found in an individual complaint.

COMENTARY

6. The Council has a good relationship with the LG&SCO and this year is no different. The LG&SCO reviewed four complaints that related to Hart District Council of with none being upheld. The LGO synopsis of these four cases is attached.

ACTION

7. Mo action is required.

Contact Details: Daryl Phillips: daryl.phillips@hart.gov.uk

Appendices:

APPENDIX 1 – LG&SCO annual review letter 2022

Background Papers:

- [Hart District Council \(21 007 534\)](#)

Statement: Closed after initial enquiries/Planning advice

Summary: Mr Y complains that inaccurate pre-application planning advice provided by the Council in 2018 contributed to substantial losses when he pursued a planning application which the Council later refused. We have discontinued our investigation into Mr Y's complaint for the reasons explained in this statement.

-
- [Hart District Council \(21 001 248\)](#)

Statement: Not upheld/Planning applications

Summary: Mr C complained the Council failed to follow planning guidance and procedures before it discharged the planning conditions for a large development of homes in his local area. As a result, he said there was a risk of damage to protected trees and injury to pedestrians. We found the Council and its Tree Officer properly considered the Developer's plans before discharging the planning conditions. It made decisions it was entitled to make, and we cannot therefore criticise the merits of its decisions.

-
- [Hart District Council \(21 009 791\)](#)

Statement: Closed after initial enquiries/Planning applications

Summary: We will not investigate Mr X's complaint about how the Council handled his planning application. This is because he has a right of appeal to the Planning Inspectorate (PINS) which was reasonable for him to use.

-
- [Hart District Council \(21 007 694\)](#)

Statement: Closed after initial enquiries/Council tax

Summary: We will not investigate Mr X's complaint the Council requires him to pay council tax on an empty property during the Covid-19 period when he could not get new tenants and was refurbishing the property. There is insufficient evidence of Council fault and we cannot achieve the outcome Mr X wants.