



East Northamptonshire Council

Standards Board - 8 July 2009

Local Government Ombudsman Annual Review 2008/09

Summary

The report provides information on the complaints about East Northamptonshire Council which were dealt with by the Local Government Ombudsman (LGO) in 2008/09.

Attachment(s)

None

1.0 Introduction

- 1.1 At this time of year, it is customary for the Board to review the Local Government Ombudsman's investigations into complaints against the Council for the previous financial year, and compare the position with that of the previous period. This fulfils the Board's responsibility under Article 9.04 (b) of the Council's constitution.

2.0 Enquiries and Complaints Received

- 2.1 The position in 2008/2009 is relatively straightforward. Four complaints and enquiries were received by the LGO in the year – three about planning and building control and one about housing. However, all four complaints were treated by the LGO as premature and he did not pursue an investigation in any of the cases. LGO staff did not require to make any enquiries of the Council in these cases.
- 2.2 In 2007/08, there were 14 complaints received by the LGO about the Council (12 after eliminating double counting).

3.0 Complaint Outcomes

- 3.1 The LGO decided four complaints about the Council during 2008/09. Three concerned planning applications and in each case the LGO found no or insufficient evidence of maladministration or service failure. The fourth complaint was about an environmental health matter and the LGO used his discretion not to investigate because he did not consider that any fault on the Council's part had caused the complainants a significant injustice. Again, no enquiries were made of the Council by LGO staff in all four cases.
- 3.2 In 2007/08, the LGO made 12 decisions on complaints affecting the Council. There were two cases of local settlements, 6 cases of no maladministration, 3 outside the LGO's jurisdiction and 1 premature complaint.

4.0 Work related to an earlier Ombudsman finding

- 4.1 In the report to the Board two years ago, reference was made to the LGO's finding of maladministration in a case involving a small housing development in Rushden. Both this Council and Northamptonshire County Council (NCC) were asked to meet 50% of the costs of making up the highway to adoptable standards, and this Council was required to ensure the construction of a children's play area in default, as the LGO had concluded that a section 106 agreement had not been vigorously enforced.
- 4.2 The work on the play area was completed and maintenance responsibility passed to Rushden Town Council. However, NCC has been reluctant to implement the LGO's

recommendation in relation to the highway. A meeting with residents was held in 2008 and earlier this year, the LGO convened a meeting to discuss the way forward. NCC accepted at the meeting that it would do all it could to secure adoption of the highway and as a first step, provide a more permanent surface on the roadway, and it is now hoped that progress can be made.

5.0 Conclusions

5.1 The LGO's Annual Review is very encouraging, and suggests that our internal procedures and controls (especially the Corporate Complaints Procedure) are contributing to fewer complaints submitted to the LGO. The Review can be regarded as another indicator of the Council's good progress towards becoming "an excellent Council in the eyes of the community".

6.0 Recommendation

6.1 Subject to any comments about the Council's performance, the Board is invited to receive and note the contents of the report.

Implications:	
Corporate Outcomes or Other Policy/Priority/Strategy	
Good Quality of Life	<input type="checkbox"/> Good Reputation <input checked="" type="checkbox"/>
Good Value for Money	<input type="checkbox"/> High Quality Service Delivery <input checked="" type="checkbox"/>
Effective Partnership Working	<input type="checkbox"/> Strong Community Leadership <input type="checkbox"/>
Effective Management	<input type="checkbox"/> Knowledge of our Customers and Communities <input type="checkbox"/>
Employees and Members with the Right Knowledge, Skills and Behaviours	<input type="checkbox"/>
Other:	<input type="checkbox"/>
Decision(s) would be outside the budget or policy framework and require full Council approval <input type="checkbox"/>	
Financial	There are no financial implications at this stage <input checked="" type="checkbox"/>
	There will be financial implications – see paragraph <input type="checkbox"/>
	There is provision within existing budget <input type="checkbox"/>
	Decisions may give rise to additional expenditure at a later date <input type="checkbox"/>
	Decisions may have potential for income generation <input type="checkbox"/>
Risk Management	An assessment has been carried out and there are no material risks <input checked="" type="checkbox"/>
	Material risks exist and these are recorded at Risk Register Reference - inherent risk score - residual risk score - <input type="checkbox"/>
Staff	There are no additional staffing implications <input checked="" type="checkbox"/>
	Additional staff will be required – see paragraph <input type="checkbox"/>
Equalities and Human Rights	There will be no impact on equality (race, age, gender, disability, religion/belief, sexual orientation) or human rights implications <input checked="" type="checkbox"/>
	There will be an impact on equality (see categories above) or human rights implications – see paragraph <input type="checkbox"/>
Legal	Power: Section 92, Local Government Act 2000
	Section 5, Local Government and Housing Act 1989
Other considerations:	
Background Papers: Ombudman's Annual Review 2008/09	
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Date: 24 June 2009	
CFO	MO
CX	