

Summary of Upheld LGSCO complaints with findings of maladministration and/or injustice - Cases closed 2017/18

LGO Case Ref.	B&NES Service	Subject	LGO Finding	LGO Recommended Remedy	B&NES Complied?
17 012 093 Mrs X	Benefits and Council tax	Housing Benefit Claim for Discretionary Housing Payment	Upheld Mal & Inj	No further action. B&NES already remedied prior to customer's LGO escalation	No action required.
17 014 554 Mr X	Housing	Invalid notice requiring works at a rental property	Upheld Mal & Inj	No further action. B&NES already remedied prior to customer's LGO escalation	No action required.
17 013 384 Ms X	Environmental Services & Public Protection	Council response to neighbour's nuisance and anti-social behaviour	Upheld Mal & Inj	<p>The Council has already adopted a new community safety plan and says it will revise and update its service standards.</p> <p>To put matters right for Ms X within one month of my final decision the Council will also: -</p> <ul style="list-style-type: none"> • Apologise to Ms X • Pay her £1,000 for the distress time and trouble it has caused her. • Pay her £5,250 for her loss of residential amenity from March 2016 to November 2017. (This is £250 a month, in line with our guidance on remedies). • Put information about the community trigger on its website. <p>Within three months of my final decision the Council will: -</p> <ul style="list-style-type: none"> • Provide the Ombudsman with an action plan of how the Council will improve its investigation and response to complaints of statutory nuisance and anti-social behaviour. 	Yes in follow-up work and letters to the complainant. All actions completed and agreed as closed with the LGO March 2019.

LGO Case Ref.	B&NES Service	Subject	LGO Finding	LGO Recommended Remedy	B&NES Complied?
18 010512 Mr B	Planning	Administration of a Planning Application	Upheld Mal No Injustice	The Ombudsman found that apart from an error in a planning officer's report which did not lead to injustice, there was no fault in the Council's decision-making in respect of this development.	No action required.
17 019 388 Mr B	Highways	Noise nuisance problem created by vehicles travelling over speed bumps installed on the road next to his home	Upheld Mal & Inj	<p>Within one month of the date of this final decision, the Council has agreed to:</p> <ul style="list-style-type: none"> • Write to Mr and Mrs B and apologise for the faults outlined in this statement, acknowledging the injustice it caused. • Initiate the statutory process for reviewing the TRO which governs the weight restrictions on their road, investigating the possibility of applying the 7.5-ton restriction northbound as well as southbound. • Write to the local Police and Crime Commissioner to make them aware of the problem and the impact it is having on local residents. It should provide a copy of its noise assessment and ask that the Commissioner considers taking action to resolve the situation. • Provide complaint handling training to those officers in the Highways and Traffic Service that deal with complaints, focusing on the need to follow the Council's complaint procedure. The training should highlight the importance of making a finding on the complaint (for example, whether it is upheld or otherwise) and telling complainants how they can escalate their concerns. • Remind the Highways and Traffic Service of the need to complete assessments in a timely manner, and check the accuracy of them. 	Yes in follow-up work and letter to the complainant. All actions completed and agreed as closed with the LGO April 2019.