



STRATEGIC PLANNING COMMITTEE

Thursday, 4 June 2020

A REVIEW OF COMPLIMENTS, COMMENTS AND COMPLAINTS RECEIVED IN THE PLANNING SERVICE BETWEEN APRIL 2019 TO MARCH 2020

EXECUTIVE SUMMARY

1. This report provides a review of the compliments, comments and complaints received in the Planning Service during the first year of East Suffolk Council.

Is the report Open or Exempt?	Open
Wards Affected:	All
Cabinet Member:	Councillor David Ritchie Cabinet Member with responsibility for Planning and Coastal Management
Supporting Officer:	Philip Ridley Head of Planning and Coastal Management 01394 444432 Philip.ridley@eastsuffolk.gov.uk

1 INTRODUCTION

- 1.1 The Council's Compliments, Comments and Complaints Policy was approved by the Simultaneous Cabinet of the two former councils in November 2017 and carried forward into East Suffolk Council in April 2019. The details of the policy can be found on the council's website please see <https://www.eastsuffolk.gov.uk/contact-us/compliments-comments-and-complaints/>. It sets out that the council is committed to providing excellent customer service first time, every time and we welcome feedback, positive or negative. It recognises individuals and teams who have provided excellent service and we work hard to improve service where it is not as good as it should be. However, the council recognises that sometimes it falls short and where customers are not satisfied then a clear and simple complaints process is in place to put this right.
- 1.2 The Council logs compliments and sends them to the manager of the team or officer cited. Compliments help the council to know where we are doing a good job and what works well for our customers. We use feedback to keep doing what we do well and help us do better in all areas.
- 1.3 We log comments and send them to the Head of Service responsible for the service. The Head of Service and other senior officers will consider all comments and make improvements where needed to make our services better and easier to access for all our customers. These are also communicated with the team so that all information is shared widely.
- 1.4 In respect of complaints the council has a standard three-part procedure. The complaint will be logged in line with the three stage complaints process.
- 1.5 Stage 1 - A senior officer from the service area to which the complaint relates will investigate the complaint. They will aim to reply in full within 15 working days.
- 1.6 Stage 2 - If the complainant is not satisfied that the council's reply to the Stage 1 complaint resolved the issues, they can seek a review. Such a request must be made within one month of the reply.
- 1.7 The Head of Service or Director for the service area the complaint relates to will review the original complaint and the stage 1 reply. They will send their report to the Chief Executive who will consider and approve a reply within 20 working days.
- 1.8 Stage 3 - If the complainant is not satisfied with the council's reply to the stage 2 internal review they can take the matter to the Local Government and Social Care Ombudsman.
- 1.9 It should be noted that in most cases the Ombudsman will not usually investigate a complaint until it has gone through the council's complaints process.

2 COMPLIMENTS, COMMENTS AND COMPLAINTS RECEIVED BY THE PLANNING SERVICE

- 2.1 The Planning Service received eight formal compliments that were spread across the teams to recognise good service both by the teams and individual officers.
- 2.2 There were no comments registered through this process. However, the service provides a number of forums for Towns and Parish Councils and Agents/Developers to learn about, and comment upon service delivery, processes and developing and learning about current best practice. Senior councillors also attend these events. These have been productive and on occasions challenging with an opportunity to provide feedback, both positive and negative. All this has been on the basis that Planning Service wants to make the wide ranging and

complex planning system as easy to navigate as possible and so to have well informed participants leads to better decision making. At some of these sessions there was an open floor discussion to listen to feedback and we subsequently have reported back how comments have been taken on board and lead to service and outcome improvements.

- 2.3 In respect of the formal complaints procedure the Planning Service received 68 Stage 1 complaints of which 3 were justified.
- 2.4 Following the Stage 1 review 29 complaints went on to Stage 2 and none were justified following the review by the Chief Executive.
- 2.5 6 cases were considered by the Ombudsman. Two of these are still under investigation, two were not pursued by the Ombudsman as the nature of the complaint was outside of their jurisdiction, one was concluded as being of no fault by the Council and one there was fault by the council resulting in Injustice. This case related to the description of an application to amend a s106 Agreement. I attach that decision letter for the Members attention and draw specific attention to the analysis from paragraph 30. The council subsequently wrote to the complainant, as agreed, to apologise, which was concerned with the site description for the development as included on consultation material.
- 2.6 Two other ombudsman complaints, which were received prior to April 2019, were resolved during this year. These related to two long running planning enforcement matters where the ombudsman found fault in the delays to the initial investigations which resulted in injustice.
- 2.7 A number of the complaints are as a result of the time taken to respond to matters both from applicants awaiting the outcome of an application or the time take to respond, especially relating to enforcement cases. It will be noted that most of the complaints are not justified but the team's management regularly review complaints and raise the need to respond in a timely manner to customers issues. It will also be noted that the planning and enforcement performance and the outstanding cases are regularly presented to the planning committees for scrutiny. The other Stage 1 complaint that was justified related to a CIL payment matter.
- 2.8 A number of the complaints received are responses disagreeing with the outcome of a planning application both in citing planning matters which should have potentially lead to an alternative decision or to process failure. Whilst responding to these cases does take time of several officers it does ensure the continued rigour in the work being undertaken knowing that any failure could result in challenge, and therefore additional time and cost, to the council. It should also be noted that the planning system does not allow for third parties to appeal a planning decision and many complaints received identify understandable frustration at the outcome but that is not a matter that can be addressed by this council.
- 2.9 With the significant volume of work undertaken by the planning teams, Members can be reassured that there are a relatively low number of complaints received and of those only a small percentage are justified. The Council wants to continuously improve, and any issues identified are always taken forward and addressed positively and this should be seen alongside the many matters discussed in the various forums organised to share and learn about the planning system in East Suffolk.
- 2.10 This paper should also be read alongside the papers presented to Strategic Planning Committee on planning application performance and planning appeals which highlight that performance is good and the quality of outcomes is high with few lost at appeal.

- 2.11 When all this performance data is considered together it should be acknowledged that the planning teams are providing good service, it learns from feedback received and responds positively when matters go awry.

3 REASON FOR RECOMMENDATION

- 3.1 This report is for information only.

RECOMMENDATION

That the contents of the report relating to the Compliments, Comments and Complaints received by the Planning Service are noted.