

South Hams DC  
Decisions made in period (Apr 2015 - Mar 2016)

	Ref	Category	Brief Description	Decision date	Decision	Decision Details	Learning Outcomes
1	15 000 080	Planning	Neighbour's hedge too high	14/Apr/2015	Not reviewing	Mr B appealed to the Secretary of State for Communities and Local Government through the Planning Inspectorate, therefore Ombudsman cannot	n/a
2	14 019 772	Support Services	Dartmouth BID - challenge to legality	15/Oct/2015	Not upheld	Council acting as administrators under terms defined by statute - no	n/a
3	14 018 681	EH	That it took too long to process a disabled facilities grant	15/Oct/2016	Ombudsman found fault by the Council but that no injustice had resulted	Delays to application were partially due to waiting for report from a third party; delays also due to discovery that planning permission was required after all, slight delay in planning app was not sufficient fault.	Importance of dealing with matters diligently
4	15 001 959	Council tax	a) Property being charged council tax for full year but not allowed to use all year round. When SHDC sold site a covenant was placed on the land preventing occupation in January and February. This went to Valuation Tribunal.  b) Also Data Protection issue during hearing	03/Jun/2015	Unable to investigate	Ombudsman not investigating – already gone to tribunal for a) and should go to Information Commissioner for b)	n/a
5	14 020 989	Planning	Wind turbine planning app granted but is in flight path of private airfield. Also application determined under delegated powers rather than committee	09/Sep/2015	Some fault but would not have altered outcome	Case officer's report was misleading and did not include information re CAA guidance, nor how far turbine was from airstrip. Also fault for not mentioning turbulence as written objections had	All specialists reminded about importance of writing accurate reports on planning apps and that they should contain all relevant information.

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6	15 008 441	Benefits	Issues with over payments, freedom of information request, and taking complainant to court for non payment of Council Tax	n/a	Premature	Because this complaint had not completed the Council's complaints policy, it was not investigated	N/a
7	15 009 981	Planning	Complaint about delay by the Council in processing planning application	30/Sep/2015	Not investigated as the option to appeal to Planning Inspector was available - permission subsequently granted	Retrospective planning application for works not determined. Complainant can appeal to Planning Inspector if not determined within 8 weeks.	Planning CoP aware of the need to process applications within the statutory dates. Improvements have been made
8	14 013 759	Planning	Wind turbine - Council accused of administrative failings in the handling of the planning app.	05/Nov/2015	Mostly no fault, some fault but insufficient injustice	Following complaint to Information Commissioner, Council had to release all information relating to this application. However, although partial fault by Council, the complainants did not suffer significant injustice through fault to warrant	Review of information released to public on request
9	15 009 894	Planning	Maladministration re planning app granted	23/Oct/2015	Not investigating	Not investigating as unlikely would find evidence of fault causing injustice to complainant	n/a
10	15 012 122	Standards	Complaining the Council did not properly investigate his complaint about town councillors	27/Nov/2015	Not investigating	Not investigating as no jurisdiction over town council	n/a
11	15 017 005	Benefits	Complainant says Council made navigation authority repossess his boat causing him to become homeless. Council should have paid Housing Benefit.	25/Feb/2016	Not investigating	Not investigated as complaint is late & no grounds for discretion to investigate. No jurisdiction over Navigation Authority. Also complainant could have appealed housing benefit decision but did not for	n/a

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