

Outcome of complaints about Waverley's services upheld by the Local Government Ombudsman in 2020/21

Details of complaint	Outcome	Lessons Learned/Action Taken
Complaint about the way in which Council considered a neighbour's extension and its decision not to take enforcement action for breaches of planning control.	Officer report wrongly described the distance between the complainants' house and the side wall of the applicant's house but Ombudsman concluded that this did not materially affect the committee's ability to reach an informed decision.	Greater care should be taken when recording measurements in officer reports. Drawn to the attention of the case officer.
The Council failed to properly consider the complainants' concerns regarding a neighbour's driveway which they said was causing dampness in their garage. The Council delayed in acting on their evidence which it ignored and failed to communicate with them properly.	There was fault by the Council in delaying an inspection of the driveway. The Council did not keep the complainant updated about the progress of its investigations and closed the case without notifying the complainant. Also fault in the Council suggesting to the complainant that they obtain a surveyor's report to persuade the Council that the driveway was not permitted development. Council asked to pay the complainant £500 as compensation for these faults.	Enforcement Team should ensure that complainants are regularly updated on enforcement investigations and should not have suggested that the complainants arrange their own surveyor's report. Fault acknowledged and accepted by the Case Officer.
Complaint about the way in which the Council handled the complainant's council tax bill following his separation from his partner.	Council was at fault in allocating the credit on the account between the complainant and his partner without first seeking the complainant's consent. Council to offer an apology and reimburse the complainant for the credit paid to his former partner - £421.23.	In future officers will withhold the allocation of any credit until the views of both parties have been received. Administrative changes put in place to ensure that this happens.

Annexe 2

Details of complaint	Outcome	Lessons Learned/Action Taken
<p>The Council did not properly consider the complainant's mitigating circumstances when deciding to recover a housing benefit overpayment.</p>	<p>Ombudsman concluded that the Council should have informed the complainant of the option of lodging a late appeal with the Social Entitlement Chamber and asked the Council to initiate that process. However, the Council subsequently discovered that the complainant had lodged an appeal within the appropriate timescale, but which had not been processed, and therefore agreed to consider the appeal. The Council's proposed action was accepted by the Ombudsman and the case closed.</p>	<p>Appeal process implemented.</p>