

APPENDIX 2

The LGO Annual Letter 2010/11 - Commentary from Services

In the Annual Letter the Local Government Ombudsman highlighted four cases that had been closed during 2010/11 with a finding of Local Settlements. The relevant services have provided feedback as to lessons learnt and processes changed due to these cases.

Case 1. Waste Collection – Response by Environmental Services

The service is committed to delivering a safe, reliable and efficient waste collection service. The resident received an apology; collections were monitored over eight consecutive weeks to ensure they occur as scheduled and on two other separate occasions, it has been confirmed that there have been no further problems and that the resident is now very happy with the service being provided. A review was carried out, which has highlighted the following lessons and future actions that could have resolved the issues earlier.

Lesson 1. Having telephoned the Contact Centre to report a missed collection the resident should not have been advised that applying for an Assisted Collection wheeled bin service would resolve the collection problems.

Although staff at the Contact Centre would have been able to identify which collection route was applicable, they would not have been aware that the properties on the collection route were predominantly bag collections and the reasons for this. Neither would they be fully aware of the problems causing the missed collections. This issue has been identified through the review of the resident's contact with the Council and was not raised as part of complaint to the Council at either Stage 1 or Stage 2 or in the complaint to the Ombudsman.

Lesson 2. When Contact Centre staff order wheeled bins for properties that do not already have a bin, they are not prompted by the system to check with the service that the property is suitable to receive a wheeled bin collection.

Action: The Customer Access Programme has been initiated and is currently assessing the way in which information is handled by the Contact Centre. This is looking at this process from end to end with the aim of identifying what systems, or changes to current systems, can be put into place in order to make improvements to the way in which we deliver services and this issue has been brought to their attention.

Action; Within the operational service assisted collections are specifically highlighted on daily tasking sheets and brought to the attention of the collection crew.

Lesson 3. The problems experienced by the resident predate the city wide changes to the collection service and significant work has taken place to improve reliability and deal with repeat complaints since the changes to collections of Oct 2010. However, if a thorough investigation had been carried out at earlier, the full extent of the collection problems would have been identified enabling the problems to be resolved without recourse to the Ombudsman.

Action: The service is incorporating complaint handling into the induction sessions for all

the new managers in order to provide them with the necessary skills for investigating and responding to complaints.

Case 2 – Planning Services – Response by City Development

This case was in relation to an applicant for planning permission - that they had incurred avoidable expense, including possible losses in the acquisition of the property, unnecessary professional fees, potential lost rent and council tax payments.

The Ombudsman closed the case as a local settlement, and asked the council to reimburse the complainant for all reasonable costs incurred in employing a planning consultant and for loss of rent to his property from March 2009 to January 2010. The amount has yet to be accepted by the complainant and is in the region of £12,000.

The investigation identified that the applicant was not made aware of the comments from Highways Officers that formed the basis of one of the reasons for the subsequent refusal of planning permission.

This case has been the subject of discussion by the Chief Planning Officer with Planning Service Team Leaders. Actions have been taken to reduce the likelihood of this situation happening again.

1. All statutory consultee comments are now available in the public domain on the CAPS Uniform Public Access system so all parties are aware of the comments made by consultees.
2. Previous pre application advice is more readily available to other planning officers within the service as these are now recorded on the CAPS Uniform planning application system rather than area files within planning teams.
3. The management of planning application files is now more robust through effective reviews of cases particularly where case files are transferred between officers. Further, a position statement of what stage the application has reached, the material planning considerations and the progress made on them including contact with the agent / applicant is to be brought into use when case files are re allocated to different planning officers.

Case 3 – Parks & Countryside- Response by City Development

Officers within Parks and Countryside now provide clear written information confirming that the Carnival Committee is responsible for the agreements with concession holders for the 2011 event - this information will be provided to all applicants.

For the 2011 Leeds Reggae Concert and Caribbean Carnival, measures have also been put in place to ensure the clarity is provided to all stall holders as to the management process.

- A service level agreement will be in place with both committee's highlighting roles and responsibilities, this will ensure clarity between Leeds City Council and the committee's.
- Within the terms and conditions given to concessionaires, it states that Leeds

City Council is purely the facilitator to aid the Leeds Reggae Committee, and that the stalls are managed by them.

These terms and conditions are then reiterated once the applicant has been successful, the applicant must then signs to agree to the terms and conditions and costs.

Case 4 – Market Services – Response by City Development

The Markets Service is committed to ensuring that its tendering procedures are equitable and that all traders feels they have been treated fairly.

We have apologised to the complainant and sought to learn from this complaint.

As a result we have reviewed our tender procedures. The tender application packs are being changed to make it clear how tenders will be evaluated and what factors will be taken into account; these are being considered by our Legal Services team to ensure that we have some external challenge and that we are adopting best practice.

Whilst we believe the Council has a duty to maximise both the quality of street trading and its income from street trading, we wish to make the process as simple as possible.