

## Complaints Received for the Year 1 April 2024 to 31 March 2025

### 1 Summary

- 1.1 The Authority wants to give people who make a complaint a fair, consistent and structured process that resolves the problems in the delivery of our services. To this end we have collected data about the number and type of complaints received during the year 1 April 2024 to 31 March 2025.
- 1.2 This report identifies the key areas of complaint, any discrepancies in the figures and details actions that have been undertaken to improve performance and the recording of complaints for the year 2024 to 2025.

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| <b>Recommendation that:</b> | <b>a</b> <b>Members note the content of the report and the key areas of complaint, the actions undertaken to improve performance and identify trends in coming years; and</b> |
|                             | <b>b</b> <b>Members support action to improve performance and suggest further areas for improvement.</b>  |

### 2 Background

- 2.1 The Authority delivers lots of different services through a variety of staff. We work in two Directorates. Each Directorate works towards our Vision and delivering our Business Plan.
- 2.2 Our customer service standards state that we are committed to providing excellent customer focused services. To this end we have put in place customer service standards which are available on our **website**.
- 2.3 To provide a high-quality service at all times, we provide an easy-to-use complaints procedure, and collect and use feedback to improve our services. We have a two-stage complaints process. A copy of our complaints procedure together with the definition of a complaint is available on our **website**.
- 2.4 For the year beginning 1 April 2024 and ending 31 March 2025, the Authority received a total of 31 complaints. Details of those complaints that were upheld by the Authority can be found at Annex 1.
- 2.5 Following action undertaken over the last couple of years, an analysis of the figures shows that the Authority is now recording all complaints received in some areas of the business but there are issues in others that will be addressed in the coming year.
- 2.6 Further work is needed to continue to improve our response to complaints and the proposed actions are also contained at Annex 2.

### 3 Policy Context

- 3.1 Reviewing complaints and identifying trends over time will enable us to identify areas of concern where the Authority is not performing as well as it might against the Vision and the Business Plan. Identifying trends (Annex 2) will enable us to see where we need to improve our service delivery.

- 3.2 As part of the Authority's Business Plan – Demonstrating a High-Performance Culture, the review of complaints enables the Authority to improve its level of service to roll out training and review processes where this will improve the organisation's performance (Annex 2).

#### **4 Options**

- 4.1 Members note the content of the report and note the key areas of complaint, the actions undertaken to improve performance and identify trends in coming years. Members agree to the proposed areas of action to improve performance.
- 4.2 Members note the content of the report and the key areas of complaint, the actions undertaken to improve performance, and identify trends in coming years. Members agree to the proposed areas of action to improve performance and suggest additional areas for improvement.

#### **5 Proposals**

- 5.1 Members note the content of the report, the key areas of complaint and the actions undertaken to improve performance and identify trends in coming years. Members support action to improve performance and suggest further areas for improvement.

#### **6 Best Value Implications**

- 6.1 The report has no Best Value implications.

#### **7 Finance Considerations**

- 7.1 The report has no finance considerations.

#### **8 Risk**

- 8.1 The monitoring of complaints received by the Authority will help us to identify any areas of risk and enable the Authority to take appropriate steps to either negate or minimise that risk.
- 8.2 Poor complaints handling leads to loss of reputation which can impact on what we wish to achieve in the Lake District National Park.

#### **9 Legal Considerations**

- 9.1 This report has no legal considerations.

#### **10 Diversity Implications**

- 10.1 This report has no diversity implications.

#### **11 Sustainability**

- 11.1 There are no significant environmental, economic and social effects.

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| Background Papers    | Legal Services Complaints Database  |
| Author/Post          | Julie Wood, Deputy Monitoring Officer and Solicitor                           |
| Responsible Director | Stephen Ratcliffe, Director of Sustainable Development and Monitoring Officer |
| Date Written         | 1 July 2025   |

**Annex 1:**

|  | 2019/20 | 2020/21 | 2021/<br>22 | 2022/23 | 2023/24 | 2024/25 |
|--|---------|---------|-------------|---------|---------|---------|
| Total Complaints Received for year           | 42      | 39      | 58          | 31      | 28      | 31      |
| Complaints resolved at Stage 1               | 4       | 9       | 12          | 20      | 13      | 7       |
| Complaints resolved at Stage 2               | 33      | 25      | 31          | 10      | 13      | 24      |
| Complaints ongoing /unresolved/not justified | 0       | 2       | 4           | 1       | 2       | 0       |
| Referred to Ombudsman                        | 4       | 3       | 11          | 3       | 1       | 3       |

1. The key areas of complaint relate to the handling of planning applications (17) and planning enforcement (9) (total number of 26 complaints and 83.87% of the total number of complaints received). Two complaints related to Rights of Way (6.45% of the total number of complaints received). The rest related to Visitor Services, and Strategy, Partners and Policy related matters.

Planning complaints are often escalated straight to Stage 2. In deciding to do so we take into consideration factors such as the nature and issues of the complaint (e.g. legal or process matters), our ability (or otherwise) to address the complainant's concerns, and the importance of affording recourse to the Local Government Ombudsman. 13 complaints were escalated straight to stage 2. The figures should be interpreted with this in mind.

Of the total number of complaints received:

- 2 were upheld;
- 5 were partially upheld; and
- 24 were not upheld;
- 0 complaint was not pursued (unresolved);
- 0 complaint outcome unknown; and
- 0 was found to be unjustified.

An unjustified complaint is a complaint that is not appropriate as the matters complained of, are being dealt with or have been dealt with by a third party, such as another Authority or the National Trust, or means of another process such as a Parking Appeal Process, a court process or Planning Appeal.

|                             | 2019/20 | 2020/21 | 2021/22 | 2022/23 | 2023/24 | 2024/25 |
|-----------------------------|---------|---------|---------|---------|---------|---------|
| Complaints upheld           | 6       | 6       | 10      | 5       | 4       | 2       |
| Complaints partially upheld | 2       | 2       | 6       | 3       | 2       | 5       |

|                          |    |    |    |    |    |    |
|--------------------------|----|----|----|----|----|----|
| Complaints not justified | 3  | 0  | 3  | 0  | 1  | 0  |
| Complaints not upheld    | 34 | 29 | 37 | 21 | 20 | 24 |
| Complaints not resolved  | 0  | 2  | 1  | 0  | 0  | 0  |
| Outcome unknown          | 0  | 0  | 1  | 2  | 1  | 0  |

2. Details of the upheld complaints are found below:

| Details of Complaint  | Decision   |
|---|--|
| The complainant had made an application for a certificate of lawfulness at their property. The application was decisively refused. The complainant expressed concern that they had been misled by inaccurate advice from the duty officer and had advice been correct they would not have applied. They also challenge the merits of then decision and allege corruption.             | We were unable to ascertain what advice was provided by the Duty Planner, but had no reason to doubt the complainant's version of the advice they had received. We offered a compensatory payment equivalent to their application fee. We firmly dispute any allegation of corruption.<br><br>PARTIALLY UPHELD   |
| The complainant was an objector to planning application 7/2023/3172. They were dissatisfied with our handling of the application, in particular they considered we had not given due regard to flood risk information they had provided, that information submitted by the applicant was untrue and that our handling of the application indicated bias.                              | There was a delay in our displaying the applicant's rebuttal of the objector's rebuttal of the applicant's flood risk information. This affected the time available for the objector to submit a rebuttal of the applicant's rebuttal of their rebuttal. An apology was given. We found no evidence of bias or impropriety in our handling of the application. Relevant matters had been, and were being, properly considered.<br><br>PARTIALLY UPHELD |
| The complainant had received planning approval in 2019 and 2022 for an extension to their home. The wished to make amendments and sought advice. They were advised to make the wrong type of application and so received a refusal. They then reapplied but the application was delayed because we sought to obtain details relating to a building which had clearly been demolished. | The advice provided to the complainant was wrong on multiple occasions. This resulted in them incurring additional costs in unnecessary applications, as well as significant delays and lost slots with their building. There was both fault and injustice. We made a compensatory payment equivalent to the unnecessary application fees they paid.<br><br>UPHELD   |
| Complainant 1 was concerned that about at development at Windermere Works. She was concerned that the development was in breach of planning control, that   | The approved plans showed changes to boundaries, albeit not particularly clearly. Existing site surveys also appeared inaccurate. Despite this we  |

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| <p>planning applications had not been properly advertised, and that amenity and that property considerations had not been properly considered.</p>   | <p>found that the development was not in breach of planning control. The first application was properly advertised. Advertisement of the second met legal requirements, but we did not accord with our policy because only one notice was displayed. This was fault. However, amenity issues were properly assessed. No injustice was identified.</p> <p>PARTIALLY UPHELD</p>   |
| <p>Complainant 2 was concerned that about at development at Windermere Works. She was concerned that the development was in breach of planning control, that planning applications had not been properly advertised, and that amenity and that property considerations had not been properly considered.</p> | <p>The approved plans showed changes to boundaries, albeit not particularly clearly. Existing site surveys also appeared inaccurate. Despite this we found that the development was not in breach of planning control. The first application was properly advertised. Advertisement of the second met legal requirements, but we did not accord with our policy because only one notice was displayed. This was fault. However, amenity issues were properly assessed. No injustice was identified.</p> <p>PARTIALLY UPHELD</p> |
| <p>Complaint about handling of planning application 7/2023/4042 - Standing Stones Wind Turbine, Kinniside</p>  | <p>There was fault. The complainant states they submitted an application for approval of details in July. There is no record of the application being received. Payment was however received. There was a failure to identify this payment could not be reconciled against an application. Subsequent chasing from the complainant was not responded to nor investigated. The matter has been expedited, the details application determined and a compensatory payment equal to be planning fee made.</p> <p>UPHELD</p>         |
| <p>Complaint regarding the continued operation of a holiday let at 131 Craig Walk, Bowness-on-Windermere</p>   | <p>We opened an investigation case in February 2024 after receiving the concern about alterations being made to the building. During the investigation, the owner explained his intention to use the property as a holiday let. We gave advice that this could result in a material change of use which required planning permission. As the use had not started there was no breach at that time.</p>  |

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|  | <p>In January 2025 we issued a Planning Contravention Notice to gather information about the use of the property. We wrote to the owner of the property to advise that the new use was contrary to the Local Plan, and we would be preparing a report recommending that an enforcement notice is issued. Due to workload there was a delay in preparing the report and drafting the enforcement notice.</p> <p><b>PARTIALLY UPHELD</b></p> |
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## Annex 2:

1. Having analysed the figures relating to complaints which were recorded on the Authority's complaints database, it is apparent that all complaints that are being formally submitted to the Authority via HQ are now being reported and recorded on the system. Some of the responses are not being recorded in a timely manner or at all. However, there are several complaints that are made directly to officers or via social media that are not being captured in our figures: they are being dealt with by a verbal response, corrective action, or comments via social media.
2. There have been some interesting trends over time
  - In 2023/24 the total number of complaints received decreased to the lowest level since 2017/18. However, the total number of complaints has risen this year.
  - The number of complaints resolved at Stage 2 increased again this year. This increase is continuing this year. This primarily is due to more complaints relating to those matters that fall within the scope of the Authority's Planning function.
  - Most complaints are not upheld, and this has been the case over time.
  - No complaints have been escalated to the Local Government Ombudsman.
3. Further work must be undertaken with officers to provide clear guidance on what needs to be recorded as a complaint and refresher sessions will be organised as required.
4. As a result of our observations:-
  - We will continue to review the complaints database to make it more user-friendly.
  - We have identified a few key administrators in each service area where complaints are received and will continue to provide training to them to record and review the complaints that are made within their service areas. Legal Services will continue to be responsible for the reporting of any data.
  - Training will be undertaken to ensure that officers are reminded of the complaints procedure and what they are required to do with any complaint they receive. This includes the recording of performance data.
  - Legal Services will continue to support the recording of information in respect of complaints and will also continue to provide advice to individual officers should they require it.
5. A review of the complaints received will continue to improve our customer service. In addition, having spoken with the respective Heads of Service, we intend to take the following action in 2024/25:

Within Development Management we will continue to review our ways of working, processes and resourcing to improve our response times and process.

Within the Strategy and Ranger Service, we will ensure that all complaints made to the Service are recorded.