

CANNOCK CHASE COUNCIL
MINUTES OF THE MEETING OF THE
APPEALS AND COMPLAINTS PANEL
TUESDAY, 1 NOVEMBER 2005 AT 10.00 A.M.
IN THE CIVIC CENTRE, BEECROFT ROAD, CANNOCK
PART 1

PRESENT: Councillors

Easton, R. (Chairman)

Allen, F.W.C.

Grice, Mrs. D.

Freeman, M.P.

Grocott, M.R.

10. Appointment of Chairman

Councillor R. Easton was appointed Chairman for the meeting.

11. Exclusion of Public

RESOLVED:

That the public be excluded from the remainder of the meeting because of the likely disclosure of exempt information as defined in paragraph 4, Part 1, Schedule 12A, Local Government Act, 1972.

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PART 2

12. Complaint by Mr. J.

The Chairman outlined the procedure for determining and adjudicating complaints in accordance with Stage 4 of the Council's internal complaints procedure.

(The Complainant attended the Hearing to present his case).

The Chairman explained that the Report contained a number of separate complaints against the Council. The Panel would hear each separate complaint and then adjourn the meeting whilst the Panel deliberated each complaint, then recalling the complainant. The Panel would then deliberate and reach their decision at the end of the hearing.

Consideration was given to the Not for Publication Report of the Head of Facilities Management (Enclosure 5.1 – 5.13 of the Official Minutes of the Council). Consideration was also given to a statement submitted by the Complainant detailing the substance of the complaint.

With reference to the complaint entitled 'Long Delays', the Complainant and the Chief Executive submitted their respective comments on the matter.

Following this, Members of the Panel asked questions and sought clarification on issues from both parties.

The Complainant and the Chief Executive then left the meeting whilst the Panel gave consideration to the matter.

As regards the complaint entitled 'Noise Abatement', the Complainant, Head of Legal and Democratic Services and Senior Environmental Health Officer submitted their respective comments on the matter.

Following this, Members of the Panel asked questions and sought clarification on issues from both parties.

The Complainant, Head of Legal and Democratic Services and Senior Environmental Health Officer then left the meeting whilst the Panel gave consideration to the matter.

As regards the complaint entitled 'Video Evidence', the Complainant, Head of Legal and Democratic Services and Deputy Chief Executive submitted their respective comments on the matter.

Following this, Members of the Panel asked questions and sought clarification on issues from both parties.

The Complainant, Head of Legal and Democratic Services and Deputy Chief Executive then left the meeting whilst the Panel gave consideration to the matter.

As regards the complaint entitled 'Freedom of Information', the Complainant and the Principal Committee Officer submitted their respective comments on the matter.

Following this, Members of the Panel asked questions and sought clarification on issues from both parties.

The Complainant and the Principal Committee Officer then left the meeting whilst the Panel gave consideration to the matter.

As regards the three complaints entitled 'Planning and Building Control Issues', the Complainant, Development, Landscape and Conservation Manager and Building Control Manager submitted their respective comments on the matter.

Following this, Members of the Panel asked questions and sought clarification on issues from the parties.

At the conclusion of the hearing the Committee retired to consider its decision having agreed with the Complainant that he would be informed of the outcome by post.

RESOLVED:

(1) Long Delays

That the complaint was not upheld, as there was no evidence produced to substantiate the allegations of long delays in responding to communication by the Chief Executive's Office.

(2) Noise Abatement

That the complaint was not upheld, as the matter has been dealt with by the Ombudsman who decided that there was not sufficient grounds to pursue the complaint, and no further evidence was brought to the hearing to justify re-opening the matter.

(3) Video Evidence

That the complaint was not upheld, as there was no evidence to justify departing from the legal opinion given by the Council's officers concerning the use of video tapes as evidence.

(4) Freedom of Information

That the complaint was not upheld, as the Complainant received a full apology for the erroneous information supplied to him initially and was subsequently provided with the correct information.

(5) Planning & Building Control Issues

Complaint No.1

That the complaint be upheld in part, and the extension of the 5-year warranty in respect of the drainage run serving the toilet be extended for a further 5-year period, making a total of 10 years.

(6) Complaint No. 2

That the complaint was not upheld, as the Planning Officers acted entirely properly in taking the matter to the Planning Control Committee.

(7) Complaint No. 3

That the complaint was not upheld, as there was not sufficient evidence brought to the hearing to indicate that the Council's officers had acted other than entirely properly in the matter.

CHAIRMAN