

## Useful Contact Information

### The Planning Inspectorate

Tel: 0117 372 6372, Email: [enquiries@planning-inspectorate.gsi.gov.uk](mailto:enquiries@planning-inspectorate.gsi.gov.uk)

Website: [www.planning-inspectorate.gov.uk/pins](http://www.planning-inspectorate.gov.uk/pins)

### Department of Communities and Local Government

Tel: 020 7944 4400, Website: [www.communities.gov.uk](http://www.communities.gov.uk)

### Mayor of London

Tel: 020 7983 4000, Email: [mayor@london.gov.uk](mailto:mayor@london.gov.uk)

Website: [www.london.gov.uk](http://www.london.gov.uk)

### Planning Portal

Tel: 0117 372 6372, Email: [enquiries@planning-inspectorate.gsi.gov.uk](mailto:enquiries@planning-inspectorate.gsi.gov.uk)

Website: [www.planningportal.gov.uk](http://www.planningportal.gov.uk)

# Complaints Procedures and Maladministration

## Planning Aid for London

The Planning Aid Resource Centre  
Unit 3.01, Whitechapel Technology Centre  
65/75 Whitechapel Road London E1 1DU  
T 020 7247 4900  
F 020 7247 8005  
[info@planningaidforlondon.org.uk](mailto:info@planningaidforlondon.org.uk)  
[www.planningaidforlondon.org.uk](http://www.planningaidforlondon.org.uk)  
Charity Registration No. 802943





## Introduction

There may be times when you need to register a formal complaint against your local council because of the way they have dealt with matters affecting you.

It is not always obvious where to register your complaint, or sometimes not even clear how you begin. This leaflet gives advice on the ways to get your complaint heard, and how you can achieve a more satisfactory outcome for yourself. It explains when to use the council's own complaints system and when other organisations can help, and gives information on useful contacts.

This leaflet does not deal with the planning appeal system, and the applicant's right to challenge a local authority's decision to refuse a planning application. It refers to challenges to a decision of a local authority in a court of law by way of judicial review, but its essential purpose is related to complaints about the way in which a local authority has acted.



Local Government  
**OMBUDSMAN**



**RTPI**  
LONDON

**Shelter**

### **Complaining to the Local Authority**

Each local council operates its own complaints procedure; you can contact your council directly to get this information or you may also be able to get this information from the council's website. The DirectGov website also provides both a step-by-step guide to making a complaint against your local council and direct access to the complaints procedures operated by the local council you wish to complain about. This information may be accessed at [www.direct.gov.uk/en/Dio11/DoltOnline/DG\\_4018266](http://www.direct.gov.uk/en/Dio11/DoltOnline/DG_4018266)

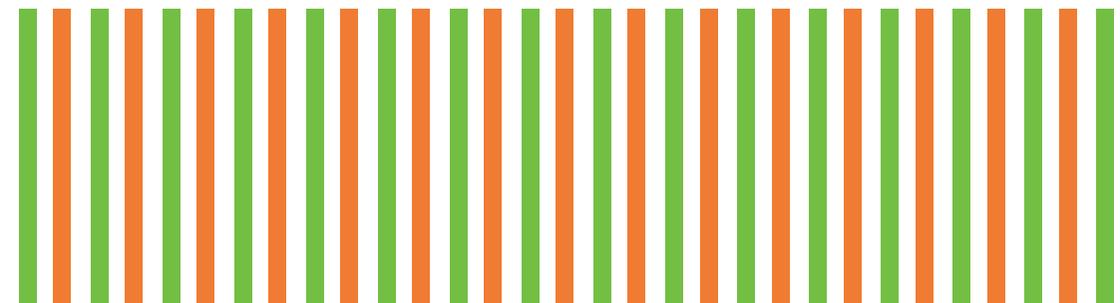
Each council will have its own procedures, but each will provide you with a full written reply to your complaint. If you are still unhappy with the service you have received, the matter can then be referred to the Local Government Ombudsman. If you wish to complain in this way, this must be done within 12 months.

### **Local Government Ombudsman**

The Local Government Ombudsman is an independent, impartial and free service. It investigates complaints about councils and certain other public bodies. The Ombudsman can investigate complaints about how a council has done something, but it cannot question what a council has done simply because someone does not agree with it.

More information on the Ombudsman's complaints procedures can be found at [www.lgo.org.uk/making-a-complaint](http://www.lgo.org.uk/making-a-complaint)

The Ombudsman will consider if the complaint is justified. If it is, it will be investigated by scrutinising the council's files and talking to the individuals involved. However, this process will only investigate how a decision was made; there is no power to quash or reverse the decision and separate action may be required to do this (see judicial review below). The Ombudsman will not investigate matters where an alternative remedy is available; for example, appealing against a refused planning application.



If the Ombudsman finds that the Council has acted improperly, the Ombudsman can ask the Council to take action to put things right. This may include the payment of compensation.

Examples of maladministration can include:

- Unreasonable delay;
- Giving incorrect or misleading information;
- Not keeping to well-established procedures; and
- Failure to investigate.

### **Judicial Review**

There may be occasions when you feel that a decision on a planning application is not a fair one because the Council has exceeded its powers, misinterpreted the law or has not followed the correct procedures. In these circumstances, the decision can be challenged by applying to the High Court for 'judicial review'. Any person 'aggrieved' by a council's decision can make a High Court challenge, but they must have a clear interest in the matter concerned if the court is to accept the case. It is also important to note that a High Court hearing can be an expensive and time consuming process.

### **Other Complaints**

#### **The Professional Body**

The Royal Town Planning Institute (RTPI) is the body responsible for town planners. All of its members must abide by its Code of Professional Conduct and they can be investigated if it is considered that they have not complied with these rules. You can view this at [www.rtpi.org.uk/download/154/Code-of-Professional-Conduct-2007.pdf](http://www.rtpi.org.uk/download/154/Code-of-Professional-Conduct-2007.pdf)

The code requires that every member acts with competence, honesty and integrity, and exercises independent professional judgment at all times. It also requires members to promote equality of opportunity and prohibits discrimination. The RTPI will take the necessary disciplinary action where this code is breached; this can include suspension of RTPI membership in appropriate circumstances. More information on the RTPI's complaint procedures can be found at [www.rtpi.org.uk/cgi-bin/item.cgi?id=212](http://www.rtpi.org.uk/cgi-bin/item.cgi?id=212)

### **Standards for England**

The Standards for England looks at the ethical behaviour of councillors who serve on local authorities. The organisation deals with complaints and breaches of the local code of conduct and deals only with councillors, members or co-opted members who serve on a range of public authorities and not the staff who work in those authorities.

### **Who Can Help You Make a Complaint?**

The following may be able to assist you in making a complaint to a public body:

- Your local councillor
- Your MP may help you with problems where Parliament or central government has responsibility
- Your local Citizens Advice Bureau gives free advice on a range of subjects, including housing and legal matters
- Your local community law centre
- A specialist advocacy service, such as Planning Aid or Shelter