

## Report of the Interim Monitoring Officer

**STATUTORY REPORT OF THE INTERIM MONITORING OFFICER**1. Purpose of report

The Local Government Ombudsman has made a finding of maladministration and injustice in respect of the cancellation of a complainant's trial to trade within a town centre and the Council need to consider the findings and recommendations.

2. Detail

In summary, the complainant's trial to trade within a town centre in the borough was cancelled in 2017 without proper notice and without an explanation being provided. The explanation for the cancellation of the trial was provided a week after it was cancelled. These issues were investigated by the Council and the complaint was upheld at the stage 2 response. The complainant was offered £200 compensation and had been previously refunded the rent for the plot, equating to £96.

The complainant did not accept the offer presented by the Council and subsequently contacted the Local Government Ombudsman (LGO) for a further review of the complaint.

The LGO found that the Council had not provided the complainant with a sufficient explanation for the cancellation of the trial and that the Council had failed to provide satisfactory communication to the complainant in regards to the cancellation.

As part of the LGO's investigation wider issues surrounding this complaint were investigated, such as the Council's overall communication with the complainant since 2016, the Council's handling of the trial period and the Council's policy for allowing town centre trading. The LGO found fault with the above issue and as such their decision as '*maladministration and injustice.*'

A full copy of this report is attached as the appendix.

3. Outcome

The LGO recommended that the Council pay £600 compensation to the complainant, a senior officer offer the complainant a personal apology and that the complainant receive an update as to the Council's investigation into the Town Councillor.

To date the Council has provided the response in respect of the complaint about the Town Councillor and paid the £600 compensation. The Council has also offered to make a personal apology.

**Recommendation**

**The Committee is asked to NOTE the report.**

Background papers

Nil