

[REDACTED] person

[REDACTED] Complaint closed

Customer [REDACTED]

Address [REDACTED]

Timeline

Details

Messages

Notes

Files

Letters

History

[REDACTED] - Complaints changed the case status to closed

15/01/2018 11:15

Jenifer Jackson - Planning, Development and Regeneration Management Group

Changed the case status to stage 1 decision - formal corporate with the following details

12/01/2018 14:41

Added:

Stage 1 decision: Stage 1 partially upheld

Jenifer Jackson - Planning, Development and Regeneration Management Group Added a note

stage 1 response

12/01/2018 14:41

response sent by email today by Jeni Jackson

Jenifer Jackson - Planning, Development and Regeneration Management Group Added a note

email from Planning Enforcement October 2017

12/01/2018 11:18

Good morning,

No notice of an appeal has been received by the Council, any appeal submitted needs to be copied to the Authority for reference to avoid any delay in notification. Therefore, the notice is now effective and full compliance is expected within the timeframe.

I shall keep you updated.

From: [REDACTED]
Sent: 10 October 2017 20:12
To: [REDACTED]
Cc: [REDACTED] Jenifer Jackson
Subject: Enforcement - steel containers The Old House/Velolife, Warren Row

Good evening [REDACTED]

We were wondering whether you have been in touch with the Planning Inspectorate in respect of any last minute appeal from Velolife about the removal of the steel containers on the car park as the Art studio/sales were still open and trading at the weekend.

Once again it was extremely busy and very noisy with large numbers of cyclists both inside the building and outside in the car park. There were again displays of unacceptable nose and throat clearing onto the car park [REDACTED]

Please keep us updated.

Regards

[REDACTED]

[REDACTED] - Complaints Added a note

12/01/2018 10:25

Chaser 12 01 18

From: [REDACTED]
Sent: 12 January 2018 10:24
To: Jenifer Jackson <Jenifer.Jackson@RBWM.gov.uk>
Cc: Ashley Smith <Ashley.Smith@RBWM.gov.uk>; [REDACTED]
<[REDACTED]>; Russell O'Keefe <Russell.O'Keefe@RBWM.gov.uk>
Subject: RE: [REDACTED]
Importance: High

Hi,

I spoke to [REDACTED] this morning. [REDACTED] have taken this matter to the LGO as [REDACTED] originally raised this in September and we have failed to send [REDACTED] a stage 1 response. We do still have a duty though to investigate this and send [REDACTED] a response. Can you please advise when this will be done?

Many Thanks

[REDACTED]
08/08/2019

Thanks

- Complaints Added a note

12/10/2017 11:09

Chasers

o

EP response

From: [REDACTED]

Sent: 22 September 2017 09:26

To: [REDACTED]

Cc: [REDACTED]

Subject: RE: [REDACTED]

Good Morning [REDACTED]

I have drafted the following response to the above complaint.

Regards

[REDACTED]

You complained about disturbance, especially at weekends from cyclist gathering at the Old House, Warren Road. Your complaint was received on 3 November 2016 recorded under reference number 16/03538/NOICOM and investigated by [REDACTED], Environmental Protection Officer. On 3 November 2016 a letter was sent to the Old House, telling them a noise complaint had been made. On the same date you were written to and asked to complete a diary sheet.

I have checked the file and I have spoken with [REDACTED] who has told me that she spoke with you last week. I have also visited the site.

Throughout the case [REDACTED] has been in ongoing contact with [REDACTED], Planning Enforcement Officer, as possible breaches of planning law had been identified. Both Planning Enforcement and Environmental Health use the same Uniform computer system.

[REDACTED] met with [REDACTED], the owner, of the Old House on two occasions. To minimise disturbance [REDACTED] they agreed the following:

[REDACTED]

1. To ensure the 8am Saturday's cycle rides (group 8-12 people) are meeting at the far end of the car park on the tarmacked area. Put up new signs about the new meeting point. Review the parking area in the spring if it needs further tarmacking.
2. To change the entrance for the smoking shelter to the left hand side (next to the metal containers) and the right hand site will be permanently blocked.
3. To split the bike racks into two and move one of them to the front of the metal containers.
4. To ensure the green hose pipe is not used for bicycle washing.

These were recommendations and not legal requirements. These works were completed on 17 March 2017.

Part of your complaint is that you were unaware that the noise nuisance case had been closed. Once the recommendations had been completed [REDACTED] was satisfied that a noise nuisance was unlikely. The file note records, and [REDACTED] has confirmed, that she spoke to you on 20 March 2017 when she told you that she was closing the noise nuisance case. The case notes do not recall what was said during this conversation and no email or letter closing the case has been recoded. [REDACTED] has confirmed that she has been continued to be copied in to your emails to [REDACTED] after she closed the case.

Clarity of communication is the responsibility the officer. I believe that confirmation in writing such as an email or letter would have removed the possibility of any doubt that the noise nuisance case had been closed clear. [REDACTED] could have responded to you and [REDACTED] reminding you both that the noise nuisance case was closed. There is no record of this being done.

The planning case has continued. It is not unusual for noise complaints to be received by Environmental Health to be progressed by planning, once it has been determined that the noise is not a nuisance, as has happened with this case.

Planning law is more stringent than noise nuisance law, requiring a quieter volume of noise than nuisance law.

If the Royal Borough is satisfied that a noise is a nuisance (unreasonable, excessively loud and continuing) it is under a legal duty to serve a noise abatement notice. The investigation concluded that with the recommendations being followed the noise was not a nuisance.

Environmental Protection will comment and advise on any planning application this will include advice on how noise can be minimised. In addition we will assist Planning Enforcement as necessary, such as with noise assessments.

Response

I have asked [REDACTED] Community Warden for your area, to check that the works listed above have been completed, including the removal of the hose pipe. If they have not been completed we shall reopen the noise nuisance investigation. If you become aware of [REDACTED] [REDACTED] is not maintaining the commitments he has made please notify [REDACTED].

A learning point is that when we are working with colleagues in Planning Enforcement that we are clear with them when we close our Environmental Protection case. Case officers must confirm in writing when a nuisance case is closed.

This part of your complaint is upheld.

Changed the case details

20/09/2017 01:00

Added:

SLA: Missed

Case date triggered: Complaint Response

20/09/2017 01:00

The complaint must be responded to on this date

Changed the case details

13/09/2017 01:00

Added:

SLA Warning: Yes

Case date triggered: Complaint Response Warning

13/09/2017 01:00

You have 5 days left to respond to this complaint

[REDACTED] - Complaints Case membership added

12/09/2017 10:06

Jenifer Jackson was assigned to this case.

[REDACTED] - Complaints Case membership added

12/09/2017 10:06

[REDACTED] was assigned to this case.

[REDACTED] - Complaints Case membership added

12/09/2017 10:06

[REDACTED] was assigned to this case.

[REDACTED] - Complaints Added a note

12/09/2017 10:05

Draft stage 1 response

template attached

[REDACTED] - Complaints Added a note

12/09/2017 10:00

Email from [REDACTED]

From: [REDACTED]

Sent: 11 September 2017 21:06

To: Complaints

Subject: Re: [REDACTED]

Att; [REDACTED]

Dear [REDACTED]

Thank you for your e.mail.

We would like to clarify a couple of points regarding the information we discussed at our meeting on Fri 8th Sept.

Concern 1 details;

firstly we did not know the Environmental Case had been closed in March until advised by you during our telephone contact on Tues 5th Sept.

Some of the recommendations are not being adhered to.

Concern 2

He was given 42 days to submit either a planning application or certificate of lawfulness application.

We are happy for you to proceed with this complaint.

Yours sincerely

[REDACTED] - Complaints Added a note

11/09/2017 12:01

Meeting

I met with ██████████ on Friday 8th September at 10am to discuss the details of this complaint.

██████████ - Complaints Added a note

05/09/2017 11:09

Email to ██████████

From: ██████████ On Behalf Of Complaints

Sent: 05 September 2017 11:07

To: ██████████

Subject: ██████████ - Lack of response

Dear ██████████

Ref: ██████████ -- Lack of response from Planning Enforcement and Environmental Protection

Thank you for your form dated 21st August and I am sorry for contacting you so late.

I know that this issue has been going on for sometime and you have made a previous complaint of this nature which has been closed.

I checked with Environmental Protection and they advise me that the case they have under reference 16/03538/NOICOM was closed in March by their Officer noting that the problem is worse in the warmer months. They hadn't received the diary sheet they sent you to record noise activity.

Can you please let me know what you are still waiting for from them and send me a copy of the last email you sent them. I can then refer this back to their Manager to investigate.

With regards to Planning Enforcement, can you please let me know what actions / questions are still outstanding from them and I can refer this to the Head of Planning to investigate. Again, any emails that you have showing contact would be appreciated.

Yours sincerely

██████████ / Corporate Complaints Officer

██████████ - Complaints Added a note

05/09/2017 11:08

██████████

██████████

██████████

██████████

Cc: ██████████



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VIP contact: No

05/09/2017 10:54

From: [REDACTED]

To: [REDACTED]

Subject: 16/03538/NOICOM [REDACTED]

I think that it is The Old House, Warren Row Road.

We have investigated [REDACTED]

ce 16/03538/NOICOM. [REDACTED]

[REDACTED] The pub is at the bottom of hill and the pub is frequented by cyclists at the weekend s. However, as no alcohol is being supplied this is not a licensable activity.

I cannot find [REDACTED] returning a diary sheet and noise recording was not installed. Our case was closed by [REDACTED] in March noting that the problem is worst in the warmer summer month s.

Regards

[REDACTED]

[REDACTED]

[REDACTED] - [REDACTED] Changed the case status to stage 1 clarification required with the following details

24/08/2017 10:14

[REDACTED]

[REDACTED]

[REDACTED] - Complaints Added a note

24/08/2017 10:13

Email to departments

From: [REDACTED]
Sent: 24 August 2017 10:11
To: Jenifer Jackson; Christopher Nash
Subject: [REDACTED]

Hi all,

COM001193

I have had the below complaints form come in from [REDACTED]

- Title: [REDACTED]
- First Name: [REDACTED]
- Last Name: [REDACTED]
- Email: [REDACTED]
- Contact number: [REDACTED]
- Department or Service: planning enforcment/ environmental protection
- What we did wrong: Did not answer all questions asked

- What happened: Have written and telephoned numerous times about an ongoing issue that planning enforcement and environmental protection have been dealing with since October 2016 but now do not get any replies or communication from them regarding this matter.
- What should have happened: we need to be informed and updated and given a timescale for the on-going issue to be resolved
- Corrective Action Expected: need to have communication from council
- Have you contacted us about this in the last 6 months: Yes
- Related to discrimination: Yes
- How complaint is related to discrimination: The businesses to which we have noise and nuisance problems are being given continual leniency leaving our issues unresolved
- Reference number: 17.001 825
- Date of incident: 28/10/2016
- Channel: Web
- Address: [REDACTED]

The complaints team first had contact from [REDACTED] in December 2016 when they were chasing a response to a letter they hand delivered in October 2016 (emails attached)
At the time [REDACTED] responded to the [REDACTED] but I suspect that they have since made contact with us more recently and are waiting for further action / responses.

Can you both please see if you have any outstanding actions for this customer? If you require more information then I am happy to contact them.

Thank you

[REDACTED]

[REDACTED] / Corporate Complaints Officer

[REDACTED] - Complaints Changed the case details

24/08/2017 09:23

Added:

Referred to LGO: No

Added:

MP enquiry: No

Case membership added

21/08/2017 20:55

Complaints was assigned to this case.

The Royal Borough of Windsor and Maidenhead - Staff created the case with the following details

21/08/2017 20:55

Title:

[REDACTED]

First Name:

[REDACTED]

Last Name:

[REDACTED]

Email:

[REDACTED]

Contact number:

[REDACTED]

Department or Service:

planning enforcement/ environmental protection

What we did wrong:

Did not answer all questions asked

What happened:

Have written and telephoned numerous times about an ongoing issue that planning enforcement and environmental protection have been dealing with since October 2016 but now do not get any replies or communication from them regarding this matter.

What should have happened:

we need to be informed and updated and given a timescale for the on-going issue to be resolve

Corrective Action Expected:

need to have communication from council

Have you contacted us about this in the last 6 months:

Yes

Related to discrimination:

Yes

How complaint is related to discrimination:

The businesses to which we have noise and nuisance problems are being given continual leniency leaving our issues unresolved

Reference number:

[REDACTED]

Date of incident:

28/10/2016

Web

This is the beginning of your case.

