

ENVIRONMENT AND HIGHWAYS CABINET BOARD

REPORT OF THE HEAD OF ENGINEERING AND TRANSPORT – D.W. GRIFFITHS

18TH DECEMBER 2014

SECTION C– MATTER FOR MONITORING

WARD(S) AFFECTED: Aberavon, Baglan, Briton Ferry West, Bryn and Cwmafon, Cimla, Coedffranc West, Margam, Pontardawe, Port Talbot, Sandfields, Crynant, Godre’rgraig, Cwmllynfell and Trebanos

CORPORATE COMMENTS, COMPLIMENTS AND COMPLAINTS POLICY AND PROCEDURE MONITORING REPORT

Purpose of Report

The purpose of this report is to advise Members on comments, compliments and complaints which have been received throughout the Authority’s Complaint Policy by the Directorate for the six month period from April to September 2014.

Background

The following number of comments, compliments and complaints have been received by the Environment Directorate:-

Comments – 0

Compliments – 12

Stage 1 Complaints – 10

Stage 2 Complaints – 4

Compliments

Case 1

From residents of Neath Road, Crynant thanking the Engineering staff for the work carried out on the footways in Crynant.

Case 2

From a resident of Godre'r Graig thanking the workforce for their quick response in removing rubbish from the area.

Case 3

From a resident of Ochr y Waun, Cwmllynfell thanking the workforce for all their efforts litter picking in Cwmllynfell.

Case 4

From a resident of Neath complimenting the workforce for the work done to clearing a tree overhanging the canal and making it safe to walk along the towpath.

Case 5

From a resident of Neath thanking the operatives and department for their efficient response to their complaint regarding an overflowing dog waste bin at the junction of Ivy Avenue and Harle Street, Neath.

Case 6

From a resident of Glyn Meirch Road, Trebanos, Ponardawe thanking a member of Streetcare Services for all their excellent help in dealing with their query.

Case 7

From a resident of Bwlch Road, Cimla-Baglan complimenting the workforce on the good job completing the repair of the pot holes on the Bwlch Road, Cimla-Baglan.

Case 8

From The Methodist Church, Neath thanking the Parking Enforcement team for all their help with parking arrangements for their recent Flower Festival in celebration of the centenary of Neath Methodist Church.

Case 9

From a student thanking the Engineering and Transport Section for making their work experience very interesting and enjoyable.

Case 10

From a resident of Bridgend complimenting the trial closure of the slip road junction 41, making their journey to work much easier.

Case 11

From a resident of Pontardawe thanking one of the Traffic Wardens for all their help and understanding over a situation in Herbert Street car park.

Case 12

From a resident of Pine Valley, Cwmafan, Port Talbot complimenting the Waste Operatives for their hard work in collecting garden waste bags from their property.

Stage 1 Complaints

Case 1

A complaint was received via the Ombudsman Office from a resident of Pontardawe regarding the danger of vehicles parking in Orchard Street, Pontardawe. The complainant stated that following the introduction of parking meters in Herbert Street car park, many drivers were forced to park in Orchard Street, which was not suitable for parking. In addition, drivers were illegally driving down a one-way system. The complainant stated that officers had ignored her previous plight in addressing these issues and therefore wished for her complaint to be investigated.

Conclusion

The complaint was investigated by the Engineering & Highways Manager and found officers had not previously received representation from the complainant or anyone acting on her behalf regarding her concerns. Charges had been introduced as part of the Authority's Parking Strategy and whilst some spaces had been allocated for residents, spaces could not be guaranteed for them. Her concerns of vehicles driving incorrectly down a one-way street were forwarded to the police for investigation. In view of the above and as officers had

complied with Authority's Parking Strategy, the complaint was not upheld and was responded to within the 10 day guidelines.

Case 2

A complaint was received from a resident of Aberavon who disagreed with an officer in the Highway Development Control section regarding the non-adoption of her road. The complainant stated that the Authority had not acted correctly in undertaking the necessary procedures which would have led to the adoption of her road and requested her complaint be investigated.

Conclusion

The complaint was investigated by the Highways Development Control Manager who confirmed that the Authority had acted correctly in not pursuing the adoption of the road due to the drainage works on her development not being constructed to an adoptable standard. It was also noted that the developer had not entered into a Section 38 agreement to adopt the highway at the onset which was beyond the control of the Authority. It was therefore, concluded that officers had acted correctly in their actions and the complaint was not upheld. The complaint was investigated within the 10 day guideline.

Case 3

A complaint was received from a member of staff based at Neath Civic Centre who had received a parking penalty notice for not displaying his staff parking permit in the multi-storey car park in Neath. The complainant stated that Parking Officers had not fully considered his circumstances in not displaying his permit and in addition, he wished for the inappropriate manner in which he was spoken to by Parking Officers to be investigated.

Conclusion

The complaint was investigated by the Head of Service and it was confirmed that officers had acted correctly and appropriately in issuing the penalty notice and had taken the complainant's personal circumstances into consideration. The complaint was therefore not upheld and was investigated within the 10 day guideline.

Case 4

A complaint was received from a resident of Briton Ferry regarding the on-going problems he had been experiencing in not having his food waste

collected. The complainant stated that even after repeated requests to the Authority his receptacles remained uncollected and requested his complaint be investigated. In addition he wished to report the driver of the refuse vehicle for using his mobile phone whilst driving.

Conclusion

The complaint was investigated by the Waste Services Supervisor and found a breakdown of communication had occurred between officers and the collection team and a meeting was arranged with the complainant to offer an apology for the error. The complainant's concerns regarding the driver were also reported as an internal disciplinary matter. The complaint was therefore upheld, but was not investigated within the 10 day guideline as the complainant had initially refused to provide his address.

Case 5

A complaint was received from a resident of Sandfields who was struck by a roll of refuse bags thrown towards her by a waste operative.

Conclusion

The complaint was investigated by Waste Services Manager and found that whilst the actions of the delivery person were not deliberate, his actions were considered careless which had led to the resident being struck. The offender was reprimanded for his actions and an apology was extended to the complainant. The complaint was upheld and was investigated within the 10 day guidelines.

Case 6

A complaint was received from a resident of Baglan regarding an on-going problem of uncollected refuse bags on his street. The complainant stated that the bags had not been removed even after repeated request to do so and therefore wished for his complaint to be investigated.

Conclusion

The complaint was investigated by the Waste Services Supervisor and found some residents were not presenting their refuse on their correct days. Letters were sent to the offending properties and the problem was eliminated. The complaint was upheld and investigated within the 10 day guidelines.

Case 7

A complaint was received from a resident of Cwmafon regarding the condition of the pavement after his refuse bin was set alight. The complainant stated that whilst officers had replaced his receptacle the following day, they had failed to remove some of the melted remains which were stuck to the pavement. The complainant stated that even after repeated calls the pavement remained in a dangerous and unsightly condition.

Conclusion

The complaint was investigated and found that no more could be done to remove the hardened plastic from the pavement. The only recourse was to place the request on a programme of works and to remove and replace the tarmacadam when funds allow. The complaint investigated within the 10 day guidelines and the pavement repairs placed on a programme of works for future action.

Case 8

A complaint was received from a resident of Skewen regarding the sporadic nature and times that residents were leaving their refuse for collection. This was causing the area to become unsightly allowing litter to accumulate. The complainant stated that this was an ongoing situation, which was not being resolved and therefore, he requested his complaint be investigated.

Conclusion

The complaint was investigated by the Waste Services Supervisor and found that some residents were not placing their refuse out for collection on the correct day. The area was initially cleared of all refuse and letters were sent to neighbouring properties informing them of their correct collection days. All collections were then monitored and no further action was necessary. The complaint was upheld and actioned within the 10 day guideline.

Case 9

A complaint was received via the Ombudsman's Office from a resident of Margam due to refuse bags being left on her road and remaining uncollected for several weeks. The complainant stated that whilst she had made several attempts to report the matter to the Authority the bags remained uncollected. In addition, the complainant questioned why she had not been contacted regarding her complaint.

Conclusion

The complaint was investigated by the Waste Services Supervisor and found some residents were not placing their refuse out for collection on the correct day. The offending refuse was removed from her road and the complainant was visited by an officer to offer an apology. In addition, letters were sent to all residents reminding them of their correct collection days. The complaint was upheld and actioned within the 10 day guideline.

Case 10

A complaint was received from a resident of Cimla who wished to complain that his refuse had not been collected for several weeks. The complainant stated that due to his disabilities he was on a pull out system of collection, however, even after repeated request his refuse remained uncollected and he wished for the matter to be investigated.

Conclusion

The complaint was investigated by the Waste Services Manager and found that whilst the complainant's refuse was being collected correctly, his recycling items remained uncollected. It was therefore apparent that the Recycling Operatives had not been made aware of the pull-out service. The complainant was visited by an officer and apology was made for the error. The complaint was upheld and investigated within the 10 day guideline.

Stage 2 Complaints

Case 1

A complaint was received from a resident of Port Talbot regarding a dispute over a parking fine which he had acquired whilst parking in the town centre. The complainant admitted that he had failed to display his Blue Badge, however, he stated that officers had failed to take into account his visual disability when considering his case. He had previously referred his case to an Independent Parking Tribunal where his complaint had not been upheld, however, he requested an internal investigation be carried out for possible discrimination against him due to his disability. In addition, he wished for an internal investigation to be carried into comments made by the Parking Officer at the Tribunal.

Conclusion

The complaint was investigated and found that the complainant had not submitted the full details of his disability as requested to do so by Parking Officers when his penalty notice was being considered. Officers therefore were not in a position to discriminate against him without the full knowledge of his disabilities and his complaint was not upheld. It was also noted that officers are allowed to voice their personal opinion at a tribunal in defence of their actions and therefore, his second complaint was also not upheld. The complaint was investigated just outside the 20 working day guidelines as the adjudicator's tribunal decision report was requested.

Case 2

A complaint was received from a resident of Port Talbot regarding the positioning of a lighting column outside his property. The complainant stated that he had not been consulted before the work was carried out and in addition the position of the new column compromised the security and structure of his property. His concerns had previously been addressed by the Public Lighting section, however, the complainant remained dissatisfied with their response and requested his complaint be investigated further.

Conclusion

The complaint was investigated and found it was not policy for the Authority to contact residents when replacing lighting columns on the highway. In addition, it was evident that the replacement column had been positioned in line with national guidelines. It was noted, however, that the contractor had attempted to appease the complainant's wishes to relocate the column to a more desirable location, however, this was not possible due to the location of underground apparatus in the area. In view of this, his complaint was not upheld and was answered within the 20 day guidelines.

Case 3

A complaint was received from a resident living outside the County who had received a parking fine whilst parking in Port Talbot. The complainant had admitted to the offence but as the offence had been committed in error and was not deemed deliberate, the complainant believed that he should not have received the fine. His case had initially been referred to an Independent Parking Tribunal for investigation and was not upheld, however, he wished for his circumstances to be re-evaluated as he believed parking offences which were not seen as deliberate and committed in error should not receive a penalty

notice. The complainant also wished for the Authority's on-line payments system to be investigated as the system had taken three amounts of payments from his account.

Conclusion

The complaint was investigated and found officers had followed correct procedures in issuing his parking fine. An investigation was also carried out by the I.T. section into the complainant's claim of unauthorised additional sums being removed from his account, however, no error was found on the system. It was evident that the complainant had instigated the removal of additional payments from his account, however, this error had been noted by officers who immediately reimbursed his account on the same day. His complaint was therefore not upheld and was investigated within the 20 day guidelines.

Case 4

A complaint was received from an employee of an external Authority funded organisation who wished his allegations regarding the misconduct of officers within the Community Transport Section investigated. The complainant stated that officers had not informed him of an impending Audit meeting in relation to an alleged misappropriation of funds within his organisation and in addition, officers had not acted in a professional manner in dealing with his original complaint.

Conclusion

The complaint was investigated and it was found the external organisation was under investigation by the Authority's Audit Section for alleged misappropriation of funds. A log of correspondence and meetings between the Authority and the complainant was made available, however, no evidence of unprofessional behaviour by officers was evident. It was noted however, that an email which was sent to the Transport Section had not been acknowledged or answered and an apology was issued regarding this. The basis of his complaint however, was not upheld and was investigated within the 20 day guidelines.

Appendices

None

Recommendation

That the comments, compliments and complaints monitoring report be noted.

List of Background Papers

Mail Monitoring system
File Ref. TA8 & TA8/C

Officer Contact

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