



· INSTITUTE · OF · HISTORIC ·
BUILDING · CONSERVATION

Making Heritage Work

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Dear Sirs

PUBLIC SERVICES OMBUDSMEN CONSULTATION

The Institute of Historic Building Conservation (IHBC) is the professional body of the United Kingdom representing conservation specialists and historic environment practitioners in the public and private sectors. The Institute exists to establish the highest standards of conservation practice, to support the effective protection and enhancement of the historic environment, and to promote heritage-led regeneration and access to the historic environment for all.

Thank you for inviting us to participate in this consultation.

The Institute is principally concerned with the role of the Local Government Ombudsmen and our response to the consultation relates to this.

Broadly speaking we are happy with the provisional proposals set out in the Consultation. We feel that these represent sound practice and will contribute to the transparency of the system. However, we have one comment and one area of significant concern.

Our comment relates to the proposal to allow complaints to be made other than in writing. We support this in principle but would wish procedures to be introduced to ensure that the scope of the complaint is encapsulated in a written statement. We envisage a process in which oral complaints are committed to writing and signed off by the complainant before the process proper starts in the same manner as statements taken by police officers in relation to their investigations.

Our area of significant concern relates to the general presumption in favour of admissibility of complaints to the Ombudsmen. Again, we support this in principle, but have serious concerns about the practical implications of the proposal.

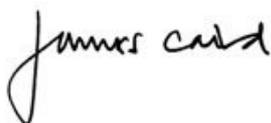
There is an increasing public expectation that any perceived adverse effects of the delivery public services on the individual must be subject to review and redress. Many of our members employed by Local Planning Authorities already report increasing amounts of their time spent on preparing information for the LGO (or for the widely

required preliminary internal investigation) in relation to perfectly straightforward planning and listed building decisions by their authorities. At present the potential for these is ameliorated to an extent by the limitations of the Ombudsman rules that require some cases to be dealt with by planning appeal or in the courts. A relaxation of these rules is bound to result in a higher case-load for our members at a time when the resources to perform their principal functions are subject to widespread cuts.

We should like to suggest, therefore, that, in parallel to the proposals, there needs to be a more transparent system for filtering out over-optimistic complaints before the involvement of the LPA by requiring them to be shown by the complainant to be substantial, and not be based on allegations of inconsequential matters of procedure or disagreement with the weight given to the various material considerations involved.

We hope these comments are helpful.

Yours faithfully

A handwritten signature in black ink that reads "James Caird". The signature is written in a cursive style with a large, looping initial 'J'.

James Caird
Consultant Consultations Co-ordinator