

Note:- FBR 266782 appears to be closed at this point by Alison Hoy but he slips in two items of misinformation in the 4th para. amongst all the nitpicking: 1) 8296/1A is approved when it is not and 2) 8296/14 was drawn after work started, it was actually drawn in August and work began erecting the frames on 5th September. He also seems to have forgotten that I told him at the beginning of the meeting that 8296/1A showed both ends to be 15.5m because he wrote next day, "I accept that there is no reference to whether this is the inland end, or the riverside end, but when read in conjunction with the drawing (8296/1A) it must refer to the inland end."

Subject: RE: Application ST/0461/14/FUL - 2nd Slipway Cover and Offices [PROTECT]
From: "Customer Advocates"
Date: Thu, March 12, 2015 12:19 pm
To: "mick.dawson@theharbourview.co.uk"

This email has been classified as: PROTECT

Dear Mr Dawson

Your email to Mr Atkinson has been forwarded to our team as your complaint on this matter has exhausted the Council's complaints procedure and is now with the Local Government Ombudsman's office.

We have received the Ombudsman's draft decision on your complaint and if you feel there is anything you raised with the investigator which has not been addressed by them, you should contact them directly as the Ombudsman base their investigation on the issues you raise with their office. They have asked for any comments on the decision to reach them by 30 March 2015.

kind regards

Alison Hoy
Performance and Information Support Officer
Customer Advocates Team
South Tyneside Council

Mick Dawson [mailto:mick.dawson@theharbourview.co.uk]
Sent: 10 March 2015 10:55
To: Gordon Atkinson
Subject: Application ST/0461/14/FUL - 2nd Slipway Cover and Offices

Dear Mr Atkinson

Thank you for your reply. When I first raised this issue I wrote:-
"Planning Application ST/0461/14/FUL - to paraphrase: for new offices, an extension to the existing boat shed and an additional boat shed to match the existing one. As the council have admitted on Nov 24th 2014 that the existing boat shed has been built without planning permission it would make good sense to ask the Agents for UK Docks, Gary Craig Building Services Ltd, to withdraw the application to replicate it." I will put it another

way:

It would appear that whoever signed off the existing shed at the beginning of June was not working from approved plans or was turning a blind eye to the material divergence from the approved plan. Either way, it would appear that the structure is illegal and Mr Mansbridge's (Head of Development Services) decision that it was not expedient to take enforcement action is questionable. It looks like his decision not to take action on the existing shed is the reason that Uk Docks have been able to submit an application to build another one without anyone in your office questioning whether it is appropriate.

I would leave it here but for the record I must take issue with a few points in your last email.

You wrote:

1) It was not a case that Customer Advocacy have agreed with you and said that the shed has been built without planning permission; what was said in Michaela Hamilton's email of 24/11 was that she was confirming, as previously advised, that the Council accepts that the structure does not have planning permission; she also explained the reasons for Mr Mansbridge's (Head of Development Services) decision that it was not expedient to take enforcement action.

I have looked again at what Michaela Hamilton was confirming and that was that the shed was built a meter wider than planned. There is no mention of height i.e. being built 3m higher than planned. Mr Mansbridge interpretation of the drawing 8296/1A, fifth paragraph in his letter to me 2nd June does not ring true. As I pointed out to you at the meeting held on 8th July the drawing shows a height of 15.5m at both ends. If you look again at the drawing you will see that the 12.5m height to the hip at the River Drive end is given incorrectly. It should by scaling be 9.75m giving a height of 12.75m and not as Mr Mansbridge says (15.5m).

2) Rather than it being a matter of me have not been told what the Customer Advocacy told you, the decisions on the planning aspects of the case are matters for Development Services and not for Customer Advocacy.

Customer Advocacy answered my letter to the CEO and hence they pull rank over the Head of Management Services although they can only work on what he leaves for them. The discrepancy between the planned height and the built height has been overlooked for example. He says in Para 4 "That would represent a significant deviation from the approved scheme" and then dismisses the height question altogether.

4) When we met on 8 July 2014, with Mr Mansbridge, we spent some time through the approved drawings-the height annotated on 8296/1A are 15.5m at River Drive and 18.156 at the Riverside. We explained then that 8296/14 is of no relevance in that matter (& in fact it was prepared after the steel frame had been erected).

Mr Mansbridge said (Para 6 of the same letter) that he would be more than happy to meet with me and show me the relevant plans and elevation(8296/14). I do not know if you had been instructed to bring these drawings to the meeting but they were not discussed. If the drawings had been shown I would have been able to illustrate how relevant they are. This was as shame as my partner and I had travelled all the way from Amble to discuss these drawings in particular. I had used the drawing 8296/14 to illustrate my point that the planned height at the River Drive end was 12.6m in my correspondence with you in Jan/Feb last year. It rather confirms my point about the indicated planned height on

drawing 8296/1A. Do I have to go through this again to persuade Mr Mansbridge that he is wrong not to consider the deviation in height?

5) You say that a fully operational shipyard on your doorstep has been built without planning permission-that is not the case; the site's use as a boat yard and slipway has never been in doubt.

Regards
Gordon Atkinson

It was a boatyard, it is now a shipyard. My and, I may be a bit presumptuous here, 300 others, opinion.

Regards

Mick Dawson

PS. yesterday I received the Ombudsman's draft decision (summary below) and you will notice that the height of the shed is not mentioned. This may be something to do with originator of the complaint. It was raised by someone other than I and the finger points directly to Management Services.

Summary: This complaint is not upheld. In 2013 a developer resumed building a boat shed for which he had planning permission and had started building in 2001. Local residents complained but the Council found the developer could still build the shed. However, he had built it almost a metre wider than he should have done. There is no evidence of fault in the way the Council dealt with the breach of planning control and its decision not to take enforcement action. It kept residents informed throughout the process.

From: mick.dawson

Sent: 04 March 2015 08:31

To: Gordon Atkinson

Cc: Customer Advocates

Subject: FBR - 266782, Planning application ST/0461/14/FUL [NOT PROTECTIVELY MARKED]

Dear Mr Atkinson,

Thank you for your prompt reply. I still think Emma was wrongly advised.

Since the application ST/0461/14/FUL and our responses to it were received by your office, events have moved on and Customer Advocacy have agreed with me and said that the shed has been built without planning permission, please see attached.....