

M Dawson  
South Shields  
8-August-2017

Dear Cllr Anglin,

I first involved you with the affairs of UK Docks over Sunday working which as far as I know had not occurred until December 2016 although the Council tried to link it to a complaint 4 years ago about compliance.

The officer responsible, Mr G Simmonette:

- tried linking it to a separate complaint;
- made misrepresentations about it;
- did not register that Sunday working had occurred.

This is why I involved you as a witness; you organised the meeting where we were misinformed about the cover in the first place. It appeared that Mr Simmonette was using the a similar method to hide his misdoings over the UK Docks Development as the earlier officer had used over four years ago. Mr Cunningham:

- made misrepresentations about it;
- did not register that the cover was non-compliant.

There were some differences which do not reflect well on either officer, Mr Simmonette by hiding behind Customer Advocacy and Mr Cunningham by passing the issue to his manager.

When I wrote to you on July the 8th I said I was unhappy that I was put in a position where I had to support the lie that the shed had been built to plan to a residents group. That was just the start of a cover-up that leads all the way to the Chief Executive and has not yet been resolved. I have already told you much of this but I have picked out what I consider to be the salient points because I want to copy it to our MP's office and the Council's legal section.

I notice that they have started work on extending the cover and from the [notes I sent you on 21-Apr-17](#) you will see that it has been built 2.7m higher than planned which means that it has been built without planning permission. Regardless of what they say, they were informed of this when I complained that it was not compliant in January 2014.

Please note that they set an extra pair of footings in 2001 (see photo taken in 2010 attached) and the fifth section is now being added. It may have not been apparent but even the most blind of building inspectors or planners cannot have failed to notice the extra pair of footings once the framework was in place (11 September?).

I had informed you, the other Councillors, the residents and Mr Cunningham that the cover was nearly 1m wider than planned but two planning officers said otherwise:

1. Mr Cunningham 20-Dec-13; "I have measured this on site and I have explained during our meeting that the base and height of the structure are compliant."
2. Mr Atkinson; 15-Jan-14; "The dimensions of the steelwork have been checked on site and they are in accordance with the measurements shown on the approved drawings."

As you can see both these statements lack veracity. It has transpired that my [complaint](#)

[10-Jan-2014](#) was not registered. They missed my main argument which was not mentioned in [Job No. 248789](#): "Examination of this drawing number (8296/14) gives a detail of a beam (portal column) width 0.686mtres, with which the height and width of the north elevation can be gauged. The north elevation is 15.6m high with a width of 12.2m."

8296/14 was drawn by the agents, Maughan Reynolds for condition 4 and was [approved by Mr Atkinson on 14-Oct-13](#) and the publication of it meant that anyone after that date suggesting that the planned height was anything like 18m was misinforming you. It should have put paid to the use of either 8296/1A, or 1B, the latter being the one provided by UK Docks, to make a case that they were building the cover to the correct height.

8296/2 is the only approved drawing from 1996 and would have shown immediately that UK Docks had been misleading the Council when it was recovered from archive in September 2013 and probably explains why the Council clammed up on the height issue. It gives the heights and shows a road end height of 12.7m (river 15.4m). I have attached a detail from this drawing which shows this and please note that 95.5m level is not of the top set of footings (96.1m) so 0.6m needs taking from 13.3m.

The UK Docks copy has been cropped so that the vital heights of the cover 118.8m and 95.5m are missing as is the Tyne and Wear Development Corporation authorisation stamp. In most people's book using this drawing to claim an approved height of 15.5m at the road end would be considered a fraud.

I'm not sure what the status of 8296/1A is but I think after the planning office were aware that the overall dimension of the road end was wrong (complaint 10-Jan-14) they should not have continued to use it to misinform other staff in the Council. Does it make them complicit in the fraud?

If one looks closely at the [email of the 15th](#) you will see he does not actually say 1A and 1B are approved but he writes it in such a way that one is lead to believe that the road end height is approved at 15.5m which if you have followed the argument so far is incorrect. As you can see the conduct of these two officers is fairly reprehensible but it is worse than it first seems:

1. Mr Cunningham simply did not record my complaint and this rather conveniently means he does not have to refute my claim that the structure is 3m higher than planned.
2. Mr Atkinson does not [record the complaint properly](#), it says "see email to planning 14/1/14. Mr Dawson asking various questions relating to the ongoing development at the slipway, River Drive, South Shields." This also means he does not have to respond to the observations about either the height or width.

After Mr Atkinson concedes my point about the height I send a [wish list to the Council](#) on behalf of all of us and I say "Thank you also for confirming that the Slipway Shed is not built to the approved 1996 plans." I say this because there is only one authorised print from 1996 giving heights and it shows a road end height of 12.7m.

We can see that the pretence that the shed or cover has been built to the permitted height is still ongoing because:

- we heard that enquirers are being told the variation from plan is minimal;
- UK Docks continued to fit the overhead crane and the cladding;
- a Port of Tyne tug was put onto the slipway;
- the Gazette re-published September's misinformation;

- in a response to a neighbours stage 2 complaint about the height
- the Council say that the height is approved in response to our Petition and in reply to Stage 2 responses;
- the Council repeat the misinformation about the height to the Local Government Ombudsman(LGO);
- the MP for Northumberland is misinformed about it;
- the Planning Committee give permission to extend it.

The Head of Development Services, Mr Mansbridge, was informed about the height on [04-Apr-2014](#) but he basically ignored the main message conveyed in the letter. He passed the letter back to Mr Atkinson which is like Mr Cunningham referring me back to the Tyne Gateway Assn. Mr Mansbridge also ignores my complaint about the [conduct of his staff](#).

When I see his response to our Petition and I question his basic assumption about the approved dimensions and [refer him back to 8296/14](#) but he persists in using 8296/1A in further responses and I know that there is something very wrong with the Council's attitude to the development on River Drive. Generally speaking the conduct of Mr Mansbridge is no better than of his staff.

If the Council had admitted that the cover was 2.7m too high when we had protested in 2013 about it, we would not have needed to raise a complaint about it in January 2014 and certainly not needed to involve the LGO. There is no doubt they have [misled the LGO](#) as well.

The authorities made it very clear that boatyard could have a cover over the slipway but there was to be no further expansion of the business on River Drive. UK Docks have managed to build much more than the were given permission and want even more.

The Planning Committee appear to have been hoodwinked into giving them permission to expand the business and it looks like the Council are trying to 'legalise' the cover by allowing it to be lengthened under the cover of a new planning request.

Not only have the Council allowed UK Docks to build a structure higher than planned they have given them permission to make it longer as well and that is a major deviation from the plan. It looks like UK Docks were not only trying to get the extra width as well as the added height and length past planning without recourse to retrospective planning action and it looks like the Council were complicit in this.

Planning rules are made so that a check is kept on on unruly developments and if you have any regard for them you ought to be supporting the residents and asking the Council to stop the extension of the cover. May we rely on you and your fellow Councillors for support?

Yours sincerely  
Michael Dawson

CC: Office of MP for South Shields, Customer Advocacy and residents.