

From: Michael Dawson (Ex hotmail)  
Sent: 23 November 2017 08:49  
To: youandyours@bbc.co.uk  
Cc: Emma Lewell-Buck MP  
Subject: The Local Government Ombudsman and South Tyneside Council

Dear You and Yours,

I listened with interest to your article about the Ombudsman on Monday 13th November and realised that while they have no real teeth because they cannot enforce their recommendations, their authority can be misused by Councils to cover up irregularities the way that complaints are handled.

Allow me to explain:

I complained to the Local Government Ombudsman (LGO) about the way South Tyneside Council had handled my complaint about a shipyard shed that had been built higher than planned but the Council misrepresented or misinformed the Ombudsman about the drawings I presented and the Inspector naturally found for the Council and my complaint was not upheld.

The Council then used the findings of the Ombudsman to mislead the MP for Northumberland about mine and other residents case but what is especially galling is the language used by the Council and in particular the word 'allegation' which implies I and the other residents were lying when it is the Council who was misleading the Ombudsman.

"The matters and allegations raised by your constituent are well documented and have been subject to a number of enquiries from Mr Dawson and other local residents over a lengthy period of time. The matter was ultimately referred by way of complaint to the Local Government Ombudsman, the outcome of which was delivered on 14 April 2015."

I wrote and complained to the LGO about the Council misinforming them about the complaint 14015052 but in response to 17001436 the second Inspector said:

"I consider that your latest complaint remains that of your previous complaint which has already been determined and the opportunity to request a review of that decision has passed. I will treat your complaint therefore as invalid and your complaint will not be investigated."

The first complaint is basically about a breach of a condition of a planning consent and the second was about how the first Inspector was misled so it can hardly remain that of the first.

It would appear that his arbitrary application of a time limit is to cover the fact that the Council has in fact misled the first Inspector but he is disinclined to do anything about it because of the consequences i.e. the Council use the LGO to cover the mismanagement of their own complaints procedure and this goes right up to the Chief Executive's office.

I do not think South Tyneside invented this method of misusing the Ombudsman and I suspect it is not restricted to Planning so you may like to pass it over to Yvonne Fovargue MP or Donal Gilligan or to one of the 'Inside Out' teams perhaps.

If you ask South Tyneside Council about it they will say something like:"The matters and

allegations raised ... etc." or "Unfortunately, the Ombudsman's decision cannot be re-visited." which is what they have told the MP for South Shields. It looks very much like the Ombudsman's Inspectors are working hand in hand with the Council and that cannot be good for a just or fair system.

Yours sincerely,

Michael Dawson.

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