

From: Michael Dawson <daw50nmdj@hotmail.co.uk>
Sent: 22 December 2017 09:50
To: Rebecca Heath <rebecca.heath@parliament.uk>
Cc: Customer Advocates; Paul Hepburn; Melanie Todd
Subject: Case ZA4803 - STC and UK Docks

Dear Rebecca,

When I wrote to you on September 6th about Cllr Anglin I copied Emma in because I wanted to make her aware that he was, by his actions, part of our problem with UK Docks and not part of the solution.

Emma replied to your email and I think my responses to her may have been lost in her ministerial correspondence and I have attached them for you now¹.

I have also attached an email I wrote to 'You and Yours', the lunchtime programme on the BBC Radio 4. It followed from an article of theirs about the Ombudsman, not having enough 'teeth' so to speak. My argument was that Council's misuse of the Ombudsman to provide concealment to cover up bad decisions, improper practices and abuses of the complaints procedures by their own staff, does a disservice the people.

It appears that the Ombudsman's office are colluding with these practices, and you only have to look at my recent exchange with their second Inspector, Mr Lewis², to see that he has rolled together my complaint about the Council misinforming the Ombudsman with my complaint about the interpretation of plans and he also appears to be confused about what my complaint to his office was about. This is understandable as the Council have the same confusion. In each case they have lost sight of my original complaint, and that is, reporting a breach of planning and being ignored.

That the ombudsman was being misinformed was why I wrote to Emma in the first place and you will notice that this was before the Ombudsman had produced their final draft so I just repeated the breach to her. In their first draft, they failed to mention the height of the cover at all, which mirrored the last stage of the Council's response before referral to the Ombudsman and in their second draft they were obviously using a drawing which had been discredited in my email to the Planning Manager in February 2014³.

The Ombudsman's second draft contained so much misinformation that I felt I needed a pack of 15 documents to show that a Senior Planning Officer of South Tyneside Council was attempting to mislead her but I failed because he went on to produce for her the original drawings provided by UK Docks. As I told the Ombudsman's second inspector at the end of a long explanation which you have seen⁴:

That a Senior Council Planner (# 31) thought that he could get away with passing off an unauthorised drawing from 1997 as a legal one from 1996 (#34) is shocking but sadly it appears to have worked, and it does not reflect very well on the office of the Local Government Ombudsman.

It so happens that the UK Docks business is fairly clear cut and has been since the beginning. The cover was built without planning permission and because they did not wish the development stopped they had to say that it was being built to 'approved' plans because the variation from the permitted plans was too big for the Council to ignore.

The whole basis of our complaint was that the cover was not being built to the approved plans. I've explained this very carefully to Cllr Anglin and the other ward Councillors back in April and maybe they missed the point about ends being shown to be the same height.

This is why I have now included the piece about the slope in Plans and Drawings <<http://theharbourview.co.uk/ukd-shed/plans/>>:

* the river end is shown as the same height as the landward end at 15.5m, therefore the roof should slope down towards the river with the same gradient as the slipway (2.7m). The roof is level in the longitudinal section so one of the dimensions is wrong.

I go on to say that while one can determine from UK Docks drawing that the river end is correct it is probably better to refer to the approved or authorised drawings which brings me to the other meeting I have had at the Town Hall.

This was to review the Agents Drawing 8296/14 and it was the only item on the agenda, I had accepted Mr Mansbridge' offer to talk with him about it. The Planning Manager did not bring it to the meeting, he bought 8296/1A and 8296/2 and as I told the meeting that ../1A showed both end to be the same it effectively bought the meeting to an end. I could have used ../2 to point out to them that the cover was 2.7m too high but that was not the point, I wanted the Council to be aware that ../14 was a valid document not ../1A nor ../1B.

I did point this out to Customer Advocacy 29- Aug-14 but they appeared to attach no significance to it which is a shame because I would then not have to had to resort to the Ombudsman.

Meanwhile I see that Emma has a fight on her hands with the threatened closure of South Tyneside Hospital and our complaints about the cover should naturally go right down her priority list.

However I'm not having the Council accusing us in a letter on behalf of the Chief Executive to the MP for Northumberland, of making allegations about the development on River Drive when it is they that have erred in this respect.

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 have also not forgotten when I was put in a position of having to repeat the misrepresentations presented by the Council at the Town Hall meeting in November 2013 when I knew that we had been misled by Mr Cunningham. If he had been honest with us then there would have been no need for me to raise a complaint about the cover and the development would have had to take place at a more suitable location.

I'll pursue my fight with the Council about the way they handle complaints using the inappropriate development on River Drive as an example but since the 'omerta' imposed by their Corporate Lead⁵ it is going to be difficult especially if they keep saying things like, "Unfortunately, the Ombudsman's decision cannot be re-visited."

I'll keep you posted to let you know how I get on. Seasons greetings and I hope it goes well with preserving all of the services at South Tyneside Hospital.

Kind regards
Michael Dawson

1. So that this does not happen again I will try and place the case reference ZA4803 in the subject line.

2. Email to you about LGO, 6-Jun-2017.

3. Email attachment to you Job_No_248789.pdf page 4, 13-Feb-2017:

Either his interpretation of 1A or 1B is correct or mine of the agents drawing 8296/14 as both cannot be true because of the gradient and he gets round this dilemma by assigning the agent's drawing, 8296/14, to the wrong end of the enclosure.

4. Email to you about the boat repair shelter, 16-Jun-17.

5. Email to you about UK Docks, Corporate Lead - Part I, 2-Feb-17.