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Wed, 10 Jan 2018 17:28:30 -0000

Date: Wed, 10 Jan 2018 17:28:29 -0000

Subject: Case ZA4803 - STC and UK Docks v The People

From: mick.dawson@theharbourview.co.uk

To: "Customer Advocates" <Customer.Advocates@southtyneside.gov.uk>

Cc: "Dave and Julie Routledge" <davidroutledge@btinternet.com>,
"Melanie Todd" <melanietodd@me.com>,
"Paul Hepburn" <hepburnsenp@btinternet.com>,
"Rebecca Heath" <rebecca.heath@parliament.uk>

Dear Alison,

I wrote to you at the end of November for the email address of the Head of Legal Service and received a rather strange reply. If you look carefully at the Ombudsman's findings of the 15-Apr-15 you will see that paragraphs 30-38 are riddled with misrepresentations of the plans and drawings and I blame your Senior Planning Officer. As soon as you infer that it is me that is making the allegations I detect the dead hand of your Corporate Lead, Mrs Johnson: *From your email title it would appear to refer your earlier allegations that the Council in some way provided mis-information to the Local Government Ombudsman. This matter has been addressed previously by Mrs Johnson in her letter to you dated 5 October 2016. The Council would not respond further to you on this complaint which has exhausted the Council and Ombudsman's complaints procedures, therefore should you wish to seek your own legal advice and they have any queries for the Council's Legal Team they should write to the team at the Town Hall.*

If my letter to Michaela, 2nd or 3rd September 2016 had been referred to your Legal Section rather than passed back to Mrs Johnson for attention, they would have seen that I have already sought legal advice. I took your email of the 9th December 2015 to a firm of solicitors in Sunderland and they were sufficiently interested that I left my binder of all the correspondence from Messrs Cunningham, Atkinson and Mansbridge with them for a while. The binder also included most of my correspondence with your section and the Ombudsman up to that date. Apparently it was not really a planning matter but more likely a case of criminal fraud and I was advised as follows as it was likely that the police would not take any action over a 'planning matter'.

I perhaps should have clarified matters following our meeting by an email to you.

My view is that we need to raise a 'new complaint' so that the Local Authority shall deal with it, and if not, the Local Government Ombudsman can deal with it. The new complaint being the misinformation and/or misrepresentation by the Local Authority in supplying information to the Local Government Ombudsman. Hopefully this can be dealt with as a 'new' matter. If this complaint is not dealt with by South Tyneside Council, and it may well be that they say it relates to the old complaint, then I believe it justifies going straight to the Local Government Ombudsman.

Therefore the draft letter to me should incorporate references to the information given by South Tyneside Council to the Local Government Ombudsman in his investigation.

Yours sincerely

Perhaps I should have taken his advice before writing to the Ombudsman a second time because Mrs Johnson says there is no evidence of the Council giving misinformation etc. to the Ombudsman and if one looks at Mr Lewis' response you will see that he does not agree with Mrs Johnson but only that I have missed an arbitrary date set by him to put matters right. Misinformation is by its very nature deliberate and I think she is confusing it with perjury, probably deliberately so.

I doubt whether Mrs Johnson circulated my comments on the Agent's Drawing 8296/14 so please do so now and you can add that if anyone cares to challenge what I have said about the planned height of the cover please go and measure for yourself the height of the gable end on the drawing. It is 16cm which accords with the only authorised drawing from 1996 that the Council hold. It gives a planned height of the landward end of some 12.7m.

Please let your Legal Section have the copy of the email I sent to Michaela along with a copy of the email I sent to Mrs Johnson on the 2nd of September and we can take it from there. As you can see if Mr Cunningham not evaded the questions raised by my email of 10-Jan-14 then the conversion of a boatyard into a shipyard would not have taken place.

Kind regards

Michael

PS. the items of correspondence I showed to the solicitor can be found in (up to and including 9-Dec-15) in:- theharbourview.co.uk/evidence

-----Original Message -----

From: Peter Cunningham <Peter.Cunningham@southtyneside.gov.uk>

Sent: 13 January 2014 09:35

To: 'daw50nmdj@hotmail.co.uk'

Subject: FW: Slipway Development - River Drive. [NOT PROTECTIVELY MARKED]

Mr Dawson- The queries that you raise are not new, indeed I have been repeating my response to them for some time now, and you will recall that I explained the planning aspect of the Council's position to you regarding this development during our meeting. This meeting included the chair and representatives of your residents group, and Councillors Anglin and McMillan. This meeting was requested by the residents and it was arranged by the Councillors.

My understanding is that the responses that I had provided to you at this meeting enabled the matter to be closed.

May I therefore suggest that you speak with the Chair of the residents group in respect of the points raised that you have raised below, as these have already been discussed and explained. If you are still not satisfied with the Council's response then you should use the Council's complaints procedure which has 3 stages.

Regards

Peter Cunningham

Principal Planning Officer

From: Michael Dawson

Sent: 10 January 2014 15:56

To: Planning Enquiries
Subject: Slipway Development - River Drive.
Dear Sir.

Please find attached copies of drawings Nos. 8296/1A and 8296/1B, 8296/14 and a photograph of the road end elevation of the slipway development.

I notice that work on this site has recommenced in the last day or so and I am surprised as there is still an outstanding issue which I think has not been addressed. The issue relates to the second condition of planning permission granted under ST/0242/96/UD which has not been met. This condition states:- "The development to which this permission relates shall be carried out in complete accordance with the approved plans and specifications."

Plan drawing no 0296/1B received in the planning office on the 6th Sept was circulated to concerned residents. However it was noted the plan did not represent the structure erected on River drive. Comparison with the photo labelled Slipway Cover shows this quite clearly, the existing pillars are vertical while the drawing shows a sloped construction. The structure is 15.5m high on the south elevation therefore some 18.5m high at the north, the river end. I have estimated that the width of structure is 13.2m the drawings detail 12.2.

Plan drawing no 8296/1A was sent to me after I requested the approved and date stamped plan. This drawing is a precursor to 8296/1B and still does not represent the structure on River drive. However it is dated and stamped 'South Tyneside MBC 11 April 1996' when residents have been advised the Council had no involvement.

There are no detailed plan drawings available to the public for ST/0242/96/UD. There is only one drawing for ST/1146/13/COND, which shows the river facing elevation and details of the strip curtain door fixings.

Examination of this drawing number (8296/14) gives a detail of a beam (portal column) width 0.686m, 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.

When looking at the three drawings and the photo I have forwarded, it is obvious that there is a complete miss match. It is therefore reasonable to conclude that the current structure has not been built to the 'approved plans' as provided by Council, ie 1A,1B nor does the drawing of the cladding/door fixing detail match what exists, for example the structure is 3 metres higher and 1 metre wider than shown on 8296/14.

Please will you answer the following questions:

Why are there no date stamped and approved plans available on the planning portal?

Why are there no plans for the current structure?

As the applicant has not discharged condition 2 why is there no retrospective planning application?

Why when I have been provided with a drawing dated 1996 were residents informed Council was not involved at this time?

I am now again requesting copies of the plans date stamped and approved in 1996 and any approved revisions to these plans.

yours sincerely
Mr M Dawson