

From: "Cllr Angela Hamilton"
Date: Mon, October 1, 2018 5:55 pm
To: "mick.dawson@theharbourview.co.uk" (more)
Cc: "monitoring officer" <monitoring.officer@southtyneside.gov.uk> (more)
Subject: Re: Councillor John Anglin

Hi Mick

Just so you are aware I am looking into this matter and trying to get the relevant information but at the moment I am coming up against a brick wall and passed around different officers.

I will of course come back to you as soon as I can find out what is happening about your complaint and the issues that have been raised by you and others in relation to UK Docks.

Sorry I am not able to be of any more help at this time but please rest assured I am not giving up on this.

Regards

Angela

Councillor Angela Hamilton
Beacon and Bents Ward
South Tyneside Council

On Mon, Oct 1, 2018 at 4:49 PM +0100, "mick.dawson@theharbourview.co.uk" wrote:

Dear Emma,

Thank you for taking notice of my complaint to the Council about the conduct of Cllr Anglin. I have had no acknowledgement from the Council yet and will use the opportunity to disclose to all, omissions from my complaint. I can also lightly touch upon the way that the Council misuse the Local Government Ombudsman to cover up maladministration. I will deal with the major omission first, starting with repeating paragraph 23 of the Ombudsman's findings full:

23. The Council considered the difference between the permitted width and the width of the built shed and decided not to enforce. Enforcement is discretionary and the Council explained to residents in great detail how it reached its decision. It explained the law and policy it considered. There is no need for me to repeat this. It decided the degree of departure from the plans – less than one metre – was “non-material.” Given the overall scale of the building, its decision is sound. The Council took the view “comparing the as built development from that for which permission was granted, there are not considered to be any additional significant impacts to residential amenity that would justify taking enforcement action.” In other words, there was not enough harm.

The conflicting evidence comes from the response to our Petition, which was addressed to the Chief Executive but answered by his Head of Development Services, Mr George Mansbridge, 2-May-14:

Apart from the width these dimensions are either entirely in accordance with the approved plan, or subject to such minor deviation that they are properly categorised as non-material changes. It was following queries raised in mid-January that that the plans were re-examined. We discovered that the overall width of the steelwork at ground level was shown as 12.2m on the plan, not 12.9m as previously understood.

The rest of the paragraph does not stand scrutiny; he told us that the width was material but the Council told the Ombudsman that it was non-material. 200mm (the width of a sheet of A4) would have been “non material” but nearly a meter is and raises questions about the competency of building control in either 2001 or 2013 rather than anything else.

The secondary omission was paragraph 21 and I repeat it now to show that the Council were misrepresenting the timing of events.

21. The Council considered if the building accorded with the approved plans. The planning officer originally assigned the case considered the developers were building the boat shed to the measurements in the 1996 plans. Mr X says he told residents this at a public meeting. The Council accepts these measurements were wrong.

It contains two pieces of misinformation made to the Ombudsman:

i) the Council did not accept the measurements were wrong at meeting in November and as late as mid January they were still saying the shed was not too wide;

ii) the public meeting was where I explained to the other residents that the Planning Manager had conceded to our arguments was held in March.

- a) that the shed was 1 meter to wide and I thanked him in February;
- b) that the shed was 2.7 meters too high and thanked him after the meeting in March.

To clarify paragraph 22:

22. A more senior officer checked the measurements; he found the width at ground level was just less than one metre wider than the permission allowed. The Council decided the developer had not built the shed entirely in accordance with the approved plans and so had not met condition 2. The Council decided this was a breach of planning control.

Again from the response to our Petition:

The measurements which the Council took on 17th September 2014 are:

- Height at the River Drive end 15.5m and at the riverside end 18m.
- Length 22.254m;
- Width 13.1m;

As you can see the Council measured the structure two months before the meeting at the Town Hall and a month before Cllr Anglin told the residents at the AGM (open meeting) that he would go and resolve what was actually planned.

The Councillor walked away from the issues surrounding the shed and left it us to argue with the planners and it was not until May when they responded to our petition that they conceded outright that the shed was too wide and by that time the shed was in regular use and I think we can justly hold Cllr Anglin responsible.

Kind regards
Michael

PS. there was a third omission – I should have copied this to Cllr Anglin out of courtesy. Stephen Hepburn MP was copied in because you may wish to work with him over the issue of the Council misleading the Ombudsman which is very serious. That is also why I have included Fiona Stanton and Jennie Formby.

Good afternoon Michael

Thanks for copying me into this, please let me know the outcome of your complaint

Emma

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From: mick.dawson@theharbourview.co.uk
Sent: 19 September 2018 16:32
To: monitoring.officer@southtyneside.gov.uk
Cc: LEWELL-BUCK, Emma; HEPBURN, Stephen; Angela Hamilton
Dave and Julie Routledge; Melanie Todd,

Subject: Councillor John Anglin

Dear Monitoring Officer,

I have a complaint about the conduct of Councillor John Anglin re the Town Hall meeting 25-Nov-13. A meeting in November 2013 with the Council was arranged by Councillor Anglin, about the height and width of the cover on UK Docks slipway on River Drive in South Shields and to get any evidence that it had been built to plan but we were told that it was compliant i.e. it had been approved and the meeting promptly moved on to speculation about further expansion of the yard. We, the Residents were given to believe that the meeting was to be formal, and so it should have been:

I believe the number of seats in the Town Hall Members Room is limited, so I would not anticipate having more than 4-5 committee members present. John and Audrey will also be there, along with Peter and possibly someone from the planning department as well. I would infer this will be a structured meeting and standard protocols and meeting ethics will apply.

Chair of the Tyne Gateway Ass. to the Secretary, 20-Nov-13.

It appeared that there was no agenda for the meeting (one could say that there was none needed as the meeting had been arranged to determine whether the cover was built to authorised plans or not), there were no minutes taken ([ex-attachment 1](#)) and no documentation provided to back up the claim that it met the second condition of the grant in 1996. It transpired that it did not; it was built without planning permission being both too high and too wide.

I made the point to Councillor Anglin that it had been built wider than planned but he did not even acknowledge my complaint (the drawings provided by the Council gave confusing messages regarding the height so I just mentioned the width). The meeting had not addressed any agenda regarding the plans and was moved away from whether it was approved or not, to a second possible application to build another shed by the Planning Officer, Mr Peter Cunningham.

Councillor Anglin allowed this to happen and to complete the charade Mr Cunningham said we had requested the meeting when really we had not. Councillor Anglin had told the Residents he would go to the Council and get clarity:

Cllr A would like clarity on height and how measured, original drawings show height from back of site down to river as 12m – if incorrect information, Cllr A will go back with a vengeance. Minutes, Tyne Gateway Assn. 9-Nov-13

We thought he would get no further with Mr Cunningham than we had in two months of trying and so accepted that we should attend a formal meeting to see what would happen. It appears we were outsmarted by the Council because the meeting was down-graded, no evidence was provided to back their claim that the cover was authorised and Councillor failed to achieve what he had promised the TGA he would do i.e. get clarity. This ultimately lead to the Council misinforming the Local Government Ombudsman on two counts:

* 22 - told them a more senior officer checked the measurements when in fact it was I that told Cllr Anglin and therefore the Council about the departure from plans;

* 23 - It decided the degree of departure from the plans – less than one metre – was “non-material.”

I think it reasonable to say that the Councillor Anglin's conduct over the meeting lead to a Senior Planning having to mislead the Ombudsman to hide the misconduct at the meeting of 25-Nov-13. I have tried to challenge him about this since but have failed to get a response.

Yours sincerely,
Michael Dawson