

Dear Mr Rumney,

### **A Diversion**

I write in response Paula Abbott's letter 29-Apr-21, virtually accusing me being abusive to the MP and the staff at the Town Hall, South Shields. I have looked through most of the emails in the list she gave and there are none to show that I've written anything abusive or any that were likely to cause offence and I am amused to see that she says that I have sent abusive matter to Members of Parliament, Councillors, Independent Auditors, the Standards Board, the local police, Solicitors, the Local Government Ombudsman and the Press. If Alison had read my email to Michaela Hamilton, 02-Sep-16 instead of passing it back to the Corporate Lead she would see why I am now amused rather than angry. I have attached it so you can see why.

There is one on Ms Abbott's list questioning [Mr Palmer's](#) integrity, 20-Feb-20, he asked Mr Buck to respond and I have referred to it on page 3, where I explain how she has taken a leaf out his and the Corporate Lead's book to denigrate me. The private message sent to Nicola Robason and copied to Simon Buck, 10:35 26-Feb-20, could only appear on Paula's list if Nicola had forwarded it to her. I notice that my rebuke of [Mr Buck's handiwork did not appear on Paula's list](#) but my repost to Mr Palmer a few months later 18-May-20 does appear on it. A few instances of how the list given to Ms Abbott was edited and skewed to make to paint me as the villain of the piece rather than the Executive at the Town Hall.

I called my letter to Mr Palmer, 18-May-20, a [Culture of Denial](#) which was a bit pompous perhaps, but the truth hurts and you can understand why I brought it to peoples' attention – I concluded:

*I was not born yesterday and I could see exactly what you are trying to do and it appears that your view is at odds with Emma's and mine. If you are the new office manager for the MP for South Shields it is not a very good start is it? If you are not, why did you solicit my home phone number from someone I thought I could trust? (Mr Buck)*

He did not respond and this brings me to Ms Abbot's list; my immediate response was, as you have seen, was to use her intervention to get the third episode of 'Shed and Corruption' into the public domain. You will also see from the trail below that we were onto this as early as February 2014. What appears to have provoked someone to use Ms Abbott to go for character assassination rather than noting what I have been saying since 2013 was my reference to the misconduct of an earlier planning officer: *Mr Cunningham had to either to admit we were right about the shed or commit fraud. He chose the latter and that is why South Tyneside Council have gone dreadfully quiet about UK Docks.*

You have seen my letter letter to Melanie, Shed and Corruption: Part 1, and perhaps 'fraudulently misrepresent the height of the shed' would have been less provocative than 'commit fraud' but as a conclusion to the latter (Part 1), it sounded a bit more forthright and I have attempted to set that right in email/letter to Ms Abbott the 6-May-21.

Ms Abbott introduces her letter: *I am writing to you following Ms Hoy's letter to you of 28 August 2018, advising that the contact restrictions which had been imposed on your contact with the Council had been lifted. The letter advised you that we would continue to monitor your contacts with the Council, and should you attempt to resume your historic complaint, that we would take similar action in the future, should the need arise.*

### **Fraudulent misrepresentation.**

It was so obviously an attempt by whoever is in charge at the Town Hall to re-write history and to get Ms Abbott to do it. Airbrushing, call it what you will, but it looks like someone wished to bury the fact that any misrepresentation (fraudulent or not) had occurred.

When I wrote Part 1 to Melanie in March, I had overlooked the fact that Mr Cunningham had written to us twice on Monday 9-Sep-13.

In the first he attached the pair of drawings which I discussed at great length in the letter, 12-Mar-21, now called, Shed and Corruption – Part 1 but it was the second one he marked as PROTECT, which requires special attention. I have discovered since that the protect is a warning to other planning staff that he was being a little economical with the truth: *Hello – I stamped these drawings on the day they were handed to me in reception, as I explained these are copies of drawings passed in 1996 by the T&W Development Corporation the only difference is that these drawings do not have the approved stamps on them. I attach a link to the Council's website explaining the complaints procedure. Complaints Procedure. Regards. Principal Planning Officer.*

The complete drawing (1A) did not have an approved stamp because it was never approved but the part drawing (2) was approved and the dimension missing from the left hand side showed that that the shed was 2.7m taller than planned as I explained in 'Shed and Corruption' – Part 1. Drawing 1B was an amended drawing from 1997 containing the same mistake in the dimension at the landward end of the side elevation as does 1A (12500 should read 9460).

It was apparent that Ms Todd and others had been discussing these plans or some like them because she had asked him a direct question about the height:

*To: Peter.Cunningham@southtyneside.gov.uk*

*Date: Mon, 9 Sep 2013 15:20:49*

*Subject: Re: Approved boat repair shelter at Tyne Slipway, River Drive, South Shields*

*Dear Peter, From the stamp date on the revised plans, you have received plans on the 06.09.13 the day after construction commenced which show a(n) increased height to the structure to that which was originally approved in 1996. Has the revised height of 15.5metres been approved or is it in breach of the 1996 Planning approval? Please can you send me full details of the relevant complaints procedure. Regards*

As you can see, he responded by giving her some misinformation which implied that the shed had been built to the approved height. He was very obviously hiding the fact that shed was taller than permitted, hence the PROTECT, because UK Docks were very quickly made to stop work on the shed for nearly 3 months and do not imagine they did it voluntarily.

The link to the Council explaining the complaints procedure was used to sidestep the issue because the answer to her question should have been something like:

*Dear Ms Todd, I can confirm that the height of 15.5m has not been approved and the boat repair shelter at the Tyne Slipway is in breach of the 1996 planning approval and we are talking with UK Docks about a way forward.*

That was never going to happen because it would have required either the removal of the shed or an application for retrospective permission for what they wanted i.e. a taller and longer one and that was why the Council stopped talking to us. Mr Cunningham used the referral to the complaints procedure as a means of avoiding the question of height. He went through the same rigmarole with me following the meeting in November:

1. the denial or contradiction: *Mr Dawson – once again - I have measured this on site and have copied the 1996 plans across to you twice already and I have explained during our meeting that the base and height of the structure are compliant. 20-Jan-13.*
2. the forward pass: *If you are still not satisfied with the Council's response then you should use the Council's complaints procedure which has 3 stages.*

The reason I have raised all this again is because Simon Buck, on behalf of a Mr Palmer applied a similar technique to that employed by Mr Cunningham, in September 2013, six years later. Not about the height of a shed but about giving misinformation/misrepresentation to the Local Government Ombudsman:

*Mr Palmer correctly informed you that MPs have no influence over the Local Government Ombudsman, and he suggested that a possible course of action may be to **complain further to the Local Government Ombudsman** and suggested you take legal advice. - 14-Jan-20.*

The implied charge that the MP for South Shields was trying to influence the Ombudsman is false. What I had actually said to her was:

*What I really needed from you was your support and Mr Palmer has indicated by our exchange over the phone that he is not prepared to give it. At the end of the day the Council are misusing the Ombudsman's Office to hide malpractice then use their findings to deflect any enquirers after the truth. - 13-Jan-20*

Over a year later Ms Abbott was to suggest a similar device to avoid the truth, 29-Apr-21:

*you have emailed again attempting to resurrect the complaint despite having been advised that we will not look at these historic issues. You were also advised that you are free to **contact the Ombudsman and make further enquiries of their office**, but unless the Council receives formal enquiries from the Ombudsman, we would not look at this further.*

The parallels between Simon Buck's and Paula Abbott's views do not end here. It appears that they have both been directed to misapply two different staff codes to rewrite history and deny me and ultimately the all those who signed the Petition in 2014, the chance to correct it.

The Codes are:-

1. The Code of Conduct for Members of Parliament.
2. Complaints Policy 2019v1.5

Mr Buck claimed, 26-Feb-20 : *I must draw your attention to your continued vexatious, slanderous and personal attacks on a valued member of staff working from the Office of Emma Lewell-Buck MP. Staff employed by Members of Parliament are protected under the Parliamentary Behaviour Code.* Neither he nor Mr Palmer answer emails so there is no way of correcting the libel.

Ms Abbott said: *I refer you to Section 7 (introduction – 7.1.1 Aggressive, abusive or offensive language or behaviour) on Dealing with Unreasonable Behaviour. In my view, your behaviour is unreasonable because: you have emailed again attempting to resurrect the complaint despite having been advised that we will not look at these historic issues.*

The approved drawings tell one that the shed should only have a height of 15.5m at the river end but it is 18.2m and as one of the first to have sight of an approved drawing I asked on 10-Jan-14: *As the applicant has not discharged condition 2 why is there no retrospective planning application?*

Since then the Council have found numerous devices, not to take any action and I have called for the want of a better term: Evasions and Denials. With Ms Abbot's 24, that comes to nearly 100. When Alison copied her list to Paula she omitted all the emails from the date of her threat to reinstate my contact restrictions 28-Aug-18, to the first on the list; 15-Jan-20. The ones missing from 2018

deal with a complaint about the conduct of Councillor Anglin and the ones from 2019 deal claim by UK Docks that they had been given permission for their shed retrospectively and your Current Monitoring Officer should be able to confirm that there were quite a few asks before she conceded that they had not been given it.

My complaint about the conduct of Councillor was not resolved. Gill Hayton repeated some of the misinformation given to the Ombudsman to make an excuse for him and it looks like Nicola had been given much the same misinformation by the same people that had given it to the Local Government Ombudsman. Her solution to the contradiction, the Council view that the shed is built to the approved height verses ours: it was not, was to repeat, 20-Jul-20:

*My email dated 19 December 2019 set out the final position on this matter. It remains the case that all complaints procedures relating to this matter have been exhausted both internally within the Council and externally.*

That, if anything, was denial that there was anything wrong with the complaints procedure but at least she did not call me a persistent and unreasonable complainant (Corporate Lead: 1-Aug-16) nor a vexatious and slanderous one (Office Manager: 26-Feb-20) nor an aggressive, abusive or offensive one (Information and Feedback Officer: 29-Apr-21) and I thank her for that. What I will not thank her for is not addressing the misuse of the Complaints Procedure which differs considerably from that outlined in Article 38292: *How we will deal with your complaint.*

Externally, I did refer the matter to the Ombudsman and they responded:- *"I consider that your latest complaint remains that of your previous complaint which has already been determined"*

[Mr Paul Lewis, Investigator, 17-May-17](#). This is about the best example of conflation in all the years I have been dealing with the minimal of planning control as practiced by South Tyneside Council. Perhaps the handling of the second and fifth conditions by Planning comes near to it but it was so neatly put by Mr Lewis. Part 3 of the 'Shed and Corruption' does not quite have the same impact.

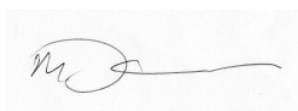
At the foot of the email Ms Abbotts email carrying her letter as an attachment it says: *Unless explicitly stated otherwise views or opinions expressed in this email are solely those of the author and do not necessarily represent those of the Council and are not intended to be legally binding.* I personally think Ms Abbott should withdraw her libel but I guess that would end her career as an Information and Feedback Officer with South Tyneside Council so it is not likely to happen.

If they are the views the Executive I think they should be ashamed to put Ms Abbott in such an awkward place. They know as well as I do that the shed is 3m taller than the approved drawings say and they have been in possession of at least one since 1996 and they did force UK Docks to stop work on their shed for nearly 3 months in 2013.

As to whether Ms Abbott's view concurs with with that of the Executive, you will be able to advise on that. In the meantime I would like you to answer the question first posed in 2013 by my near neighbour at that time: *Has the height of the landward end of 15.5m been approved or is it in breach of the 1996 Planning approval?*

I have replaced 'revised' with 'landward end' to avoid confusion. When Ms Hoy and now Ms Abbott say that they will not look at these historic issues you will understand why was never answered.

If it had been answered in 2013, there would be no shed!



Yours sincerely  
Michael Dawson