

Dear Nicola,

Broken Promise

First, I would like to make a correction to '[A Cautionary Tale](#)' which was sent to Andy Nye who is raising a Petition about the disappearance of a public footpath from in front of the old Call Centre on Long Row. I should have copied you as Monitoring Officer into this dialogue and please accept my apologies missing you off the circulation list.

Andy Nye, a pen name, is raising a Petition about the loss English Coastal Path, off Long Row and I fear that it will suffer the same fate as one we we raised seven years ago about UK Docks' slipway enclosure i.e. countered with a lie and flung into a waste bin. The correction is minor but it links to the way the Council's Complaints Procedure is manipulated to hide the truth about developments along the water front from the Customs House to the Coast.

The detail is in the attached file '[Corrections to the Cautionary Tale](#)' and the broken promise is the one made by Leah on your behalf on 24th December 2020:

RE: Conflation of Complaints.

From: Nicola Robason

Date: 24/12/2020 (11:37:26 GMT)

To: mick.dawson@theharbourview.co.uk, Nicola Robason

Cc: Emma Lewell-Buck MP, Anne-marie Trevelyan MP, Cllr Angela Hamilton, Cllr David Francis, Peter Cunningham, George Mansbridge, Hayley Johnson, Alison Hoy, Garry Simmonette, Mick Dawson, Angela Coutts

Dear Mr Dawson

Thank you for your email regarding complaints you have raised with the Council.

I am writing to acknowledge receipt and confirm that this matter will be looked into and you will receive a response week commencing 4th January.

Regards

Leah

She was writing in response to number 21, [Conflation of Complaints](#), 23-Dec-20, in a list of 26 queries raised with the Council that have mostly not been answered:

Dear Nicola,

My email started to grow like Topsy when I started to look back at the number of times that my questions/complaints about the height of the shed were referred to Customer Advocacy and especially how many times the responses were accompanied by misrepresentations of various kinds.

I'd also started to reproduce quotes and photographs from the various items of correspondence to reduce the number of cross references so I've converted 'Conflation of Complaints' into a pdf document.

I conclude the 'Conflation of Complaints' with:

I'm still waiting for the CEO to write that apology to the MP for Berwick and Mr Mansbridge to write to the residents of Greens Place and Harbour View, to apologise for telling them that the shed had been approved when it hadn't. That is never going to happen but I am not going to rest until Councils, like South Tyneside, stop abusing the services of the Local Government Ombudsman to push their pet projects through corrupt planning and complaints procedures. Do not imagine that South Tyneside Council is alone in this respect. Look at the trouble that Grenfell Tower is giving everyone. I think the easiest way to put a stop to it, is to bring it to the attention of Parliament, and let them decide if it should be made a criminal offence to lie to the Ombudsman though it might be better to wait till the Pandemic and Brexit have done their worst first. I hope for all of us that the worst will soon be over.

The postscript to 'Conflation of Complaints' states:

** If the approved plan gives a height of 12.8m and the height built at that point is 15.5m then the shed is 2.7m taller than planned and it is therefore a misrepresentation to say it had been approved. The person backing their claim with an unapproved or doctored drawing can therefore be properly accused of fraudulent misrepresentation.*

If we go back a year there was some confusion but you finally agreed 19-Dec-2019 that UK Docks had not applied to have the extra height of their shed to be considered retrospectively:

Dear Mr Dawson

Thank you for your recent emails and your letter dated 5 December 2019.

I can confirm that I am the Council's Monitoring Officer. In that capacity, I have read and considered the information you have provided in relation to UK Docks and River Drive and specifically your request for information.

I can confirm that the Council as Local Planning Authority has not received a retrospective planning application from UK Docks. It is entirely a matter for UK Docks to decide whether or not to submit such an application and the Council has no influence in that matter.

I am also aware of the history of this development that goes back some years with the original planning application being determined and approved by the Tyne and Wear Development Corporation in their capacity as Planning Authority at that time. The Council has recognised that the development of the shed on the site is unauthorised but concluded some time ago, in accordance with the Constitution, that no enforcement action would be taken as this was not in the public interest as there would be no change in the level of perceived harm suffered. This decision and the reasoning behind it was communicated to residents by the Council.

I understand that all complaints procedures regarding this matter have been exhausted both internally within the Council and externally.

Many thanks

Nicola

Your response hides the fact that UK Docks had told [Cllr Hamilton and the MP](#), Emma Lewell-Buck that they had been granted permission for their oversize shed retrospectively and I knew this to be a lie and I needed the Council to confirm that it was a lie before it replaced the lie that the shed had been built to height approved in 1996.

UK Docks with the aid of a string of Council Officers including the Chief Executive, first in giving misinformation to the Ombudsman, then in the misapplication of a staff code by the

Council's Corporate Lead managed to maintain the first lie for 7 years. What UK Docks did not see but I did, was that their declaration that they had been granted permission, albeit retrospectively for the shed we now see, immediately put paid to that lie that the height of the shed had been approved.

It also confirmed that they, the Council, had therefore misled the Ombudsman and that the Corporate Lead was out of order when she got me sectioned. I leave you to determine where it leaves Paula Abbott and Alison Hoy but I would not like to be in their place at this moment in time especially as they owe me an apology.

Two weeks after our exchange in December 2019, I get a response, not from you but from a completely unexpected quarter, from Simon Buck requesting my home phone number to give to a [Keith Palmer](#) and that gave rise to the first 15 items on the list that Alison gave Paula and they will be the subject of Shed and Corruption – Part 10.

You took the trouble to respond to the ones of 26-Feb and 27-Jul though you skirted round the issue by repeating a variation of your final comment of your email in December 2019:

My email dated 19 December 2019 set out my 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.

Then five months later:

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.

Internally, the matter was exhausted when Mr Atkinson grudgingly conceded that the shed was in fact nearly 3m taller than permitted and externally it is not exhausted because it should never have got as far as the Ombudsman – [see the Mansbridge Trap](#) in 'Corrections to the Cautionary Tale'

I was therefore, pleasantly surprised when when I received Leah's response and looking back through the correspondence for December 2019, I can only conclude that my letter '[Dishonesty at the Town Hall](#)' of the 5th December was what prompted it.

You can check with Alison but she will only confirm that there has only been one complaint to the Chief Executive that his staff have been giving misinformation to the Ombudsman and that cannot be described as persistent behaviour. Not only that, if the approved plans say a structure is three meters taller than planned it is reasonable to complain that it is three meters taller than planned.

It looks from here that both Paula and you were kept in the dark about the events of 2016 – 17; the corruption that allowed to UK Docks to add another section to their shed in August 2017.

Kind Regards
Michael
4th November 2021