



South Tyneside Council

Mr Dawson
70 Greens Place
South Shields
Tyne and Wear
NE33 2AQ

Date: 1 August 2016
Our Ref: CX/253539
Your Ref:

Dear Mr Dawson

Thank you for your letter to Martin Swales, Chief Executive dated 8 July 2016, requesting matters related to your previous complaint to be raised as a *new* complaint. I manage the process and staff that support customer complaints and compliments. Your letter has therefore been forwarded to me to consider and respond.

Having considered the contents of your letter and the final decision by the Local Government Ombudsman, I am now in a position to respond.

There is no evidence to suggest that there has been deliberate misinformation provided by Council officers to the Local Government Ombudsman. Neither do I have evidence to question the content of the Ombudsman's investigation. My several years of experience is that an investigator works with a complainant during the investigation to consider the initial complaint and relevant subsequent points raised. It is your responsibility to provide the investigator with information to fully investigate your complaint. It is our responsibility to respond to that investigation. I can find no evidence that the Council did not fully comply with the investigator's questions throughout the process.

I understand your frustration in what is a complex matter, which has been the subject of extensive investigation by the Council and the Local Government Ombudsman, involving information spanning two decades. Whilst I know that you remain dissatisfied with the outcome, I consider the Local Government Ombudsman's decision final and must now draw a close to this matter.

I refer you to an email sent on 9 December 2015 from Alison Hoy, regarding the repeated contacts to the Council concerning issues you had raised in your original complaint regarding the boat repair shed built by UK Docks.

Since the Ombudsman's final decision on your complaint on 15 April 2015, you have sent further emails/letters to Council officers, Elected Members and Members of Parliament, reiterating aspects of the complaint:

- Letter to MP Trevelyan dated 1 June 2015 advising her of your complaint, but not advising the MP it had been investigated by the Council and Local

Government Ombudsman.

- Email 4 December 2015 to Gary Simmonette and the Planning Team cc'd to Dave and Julie Routledge; Emma Lewell-Buck MP; George Mansbridge; Melanie Todd; Cllr Audrey McMillan; Cllr John Wood; Cllr John Anglin, referencing the original boat shed dimensions, which had been addressed through the complaints procedure, alongside your objections to a new planning application.
- Email 1 February 2016 regarding the February planning committee meeting, making reference to misinformation and/or misrepresentation by the Council in supplying information to the Local Government Ombudsman.
- Letter 8 July 2016 to the Chief Executive and the Ombudsman.

I enclose a copy of our policy on dealing with unreasonable and persistent complainants. In my view, your behaviour is a disproportionate use of resources and unreasonable because you have:

- submitted repeated complaints, essentially regarding the same issue, after our complaints process has been exhausted,
- attempted to have the complaint reconsidered in ways that are incompatible with our adopted complaints procedure, or with good practice,
- adopted a 'scattergun' approach: pursuing a complaint or complaints with the authority and, at the same time, with a Member of Parliament/a councillor/independent auditor/the Standards Board/local police/solicitors, while an appropriate avenue is available via the Local Government Ombudsman,
- refused to accept the decision of the Council or Local Government Ombudsman, by arguing points of detail.

I now consider this matter closed. Should you continue to repeat historic complaint issues in your contacts, we will consider imposing formal restrictions on your contact with the Council. Should you continue to repeat this same complaint already investigated by the Council or the Ombudsman, including historical plans or perceived misinformation, we will not acknowledge, or respond to those communications.

We will however, ensure that any separate complaints you raise, including any that may arise from a new planning application, are dealt with appropriately and that you receive a response where necessary.

Yours sincerely



Hayley Johnson
Corporate Lead Strategy and Performance