

From: Michael Dawson <daw50nmdj@hotmail.co.uk>
Sent: 16 December 2016 16:00
To: Customer Advocates
Subject: Re: Complaint: 248789 - Unplanned Development on River Drive

Dear Alison,

Thank you for letting me know that Michaela has moved on.

Sorry to bother you again but as you can see from the attached response that the Council's Corporate Lead, Mrs Johnson is no longer answering correspondence about the enclosure. She has not answered the question to Michaela: "Has M(r)s Johnson replaced Mr Mansbridge at Stage 2 of the Council's Complaint Procedure?"

You will also notice that she has not answered any of the other questions in neither my letter to the Chief Executive nor the one to her. The reason I wrote to Michaela is because I believe the threat of application of 'Section F' action carried legal implications. I now firmly believe Mrs Johnson has applied the action because she did not want to answer the questions raised in both letters.

I see from the article, 38292, 'How we will deal with your complaint' on the Council's website that the procedure has not changed from when I first complained about the height of the development, and it appears she is handling Stage 3 else I doubt she would have the authority to carry out the 'Section F' action. I think my argument that, if the Council had been more honest with me in the first place, I would not have had to raise the original complaint (248789), touched a sore point.

Nor did my grumble about her handling of my correspondence with the MP for Berwick which left a lot to be desired of a public servant and I'll repeat it here.

It would have been courteous of you to have sent me a copy of your letter in which you use the pejorative phrase 'allegations raised by your constituent'. As it happens I did not see what you had written on 25-Jun, to the MP, till January 2016, some six months after you had written it, and only then because I requested a copy from Customer Advocacy. I gave up asking the MP about whether the Chief Executive had responded and it was only Alison Hoy's email to me on the 9-December 2015 that prompted me to ask. Ms Hoy kindly sent me a copy.

The reason I wished to know who was handling planning matters at stage 2 will become apparent when you read the second attachment. I will try and be brief:

- some time after the 4th March when I copied your office and when you replied on the 12th, the FBR number (266782) was removed from the title which enabled the association with a complaint that was already with the Local Government Ombudsman. 288782 therefore had bypassed both Stages 2 and 3.
- Mr Atkinson says in email date n/k in para 4, that 8296/1A is approved. It is not approved, there is no evidence that it has even been to the Tyne and Wear Development Corporation let alone approved by them.
- Mr Atkinson and Mr Mansbridge were reminded that 8296/1A gave both ends of the shed as 15.5m. An error because there is a gradient of 2.7m between the ends.
- drawing 8296/14 was not brought to the meeting on July 8th. The meeting was

- expressly arranged to view and discuss the drawing.
- Mr Atkinson says that 8296/14 was drawn after the frames were erected and was of no relevance. It was drawn in August and the frames started to go up in September. It is only one of two 'legal' documents that give an indication of the planned height of the shed. They both give a planned height of the river end of 2-3m less than that built.

Due process does not appear to have been followed and two misrepresentations that have been repeated to the LGO have been re-established. Mr Atkinson had tried to imply January 2014 that 8296/1A was approved and discredited 8296/14 at the same time.

I'm sure you have access to the full sized 8296/14. Take a ruler with you so you can measure for yourself the height of the gable end which is drawn quite accurately to a scale of 1:100. It's 16cm and that corresponds to a planned height of 16m. You will see that I am right about the height (16 equates much better with 15.5 than with 18.15).

You will then understand why Mr Atkinson did not bring the drawing to the meeting and why Mrs Johnson is trying to suppress open discussion on this.

On top of this, a legitimate complaint that a developer is trying to 'legalise' an earlier development has been quashed.

My guess is that Stuart Wright is now the stage 2. person and this email should have gone to him. But it's only a guess and I apologise again for bothering you.

Kind regards
Michael Dawson

From: Alison Hoy on behalf of Customer Advocates

Sent: 16 September 2016 11:42

To: mick.dawson@theharbourview.co.uk

Subject: RE: Complaint: 248789 - Unplanned Development on River Drive [NOT PROTECTIVELY MARKED]

This email has been classified as: NOT PROTECTIVELY MARKED

Dear Mr Dawson

Thank you for your email and the copy of the letter sent to Mrs Johnson.

Mrs Johnson received your letter on her return to work 12 September and acknowledges its receipt.

For your information Michaela Green (nee Hamilton) is currently on secondment and therefore your email will be considered along with the letter to Mrs Johnson.

You will be contacted in due course following further checks into this matter.

Yours sincerely

Alison Hoy
Performance and Information Support Officer
Customer Advocacy
South Tyneside Council, Strathmore, Ground Floor, Rolling Mill Road
Jarrow
Tyne & Wear
NE32 3DP

From: mick.dawson@theharbourview.co.uk [mailto:mick.dawson@theharbourview.co.uk]

Sent: 03 September 2016 07:27

To: Customer Advocates

Subject: Complaint: 248789 - Unplanned Development on River Drive

Dear Michaela,

South Tyneside Council and the Local Government Ombudsman

Please excuse me for writing directly to you. I've copied you the letter I wrote to Haley Johnson yesterday. I assume you have access to my letter to the Chief Executive 8-Jul and her reply to me 1-Aug.

She has done exactly as my solicitor predicted she would do, she said I had submitted repeated complaints, essentially regarding the same issue after the complaints process has been exhausted. There are only two complaints and I did not raise the one to which she has referred. That was 253539 and raised at Mr Mansbridge' request and was about enforcement. I do not consider the first closed until the Council come clean on the planned height. As far as I am concerned Mr Atkinson conceded the argument about the planned height to me in February 2014.

I did ask her if she had reviewed the original complaint of the 10-Jan-2014 and the correspondence following it up to 13-February, as she would have realised that Mr Atkinson had effectively agreed that the shed was 2.7m too high. He and I were discussing the height of the shed and he could no longer maintain the pretence that 8296/14 referred to the road end. It looks like she did not so I explained to her the 'not to scale' misrepresentation and even added a bit to simplify it.

One only has to look at the drawing to see that it is: a) the river end (note about access for boats) and b) has a height to width ratio of about 5:4 which corresponds with 15:12 not 18:12 whatever the scale of the drawing. Why he went on to say that it was not to scale, was not only irrelevant but appears to be a piece of misinformation designed to get himself out of an embarrassing situation. He had already mistakenly said that it was the road end.

I was tempted to say that he was digging himself even deeper into a hole and I helped him out by not commenting upon the scale of it. Instead, I just told Ms Johnson, "I did not bother to correct the misrepresentation, about drawing 8296/14 not being to scale, with the Planning Manager but that does not make it valid."

She said, "There is no evidence to suggest that there has been deliberate misinformation provided by Council officers to the Local Government Ombudsman." This was in spite of me giving some very good examples to the Chief Executive. All the misinformation looks deliberate to me. I have been saying the shed is too high since 10th January 2014. My first thoughts were that she was trying to make out that I was the villain of the piece rather than the Council. I then decided that was too obvious and she was on a 'fishing expedition' for the LGO. To extend the metaphor, it looks like Mr Mansbridge came along, fell into the hole and dragged the LGO in after. Ms Johnson is trying to help them out of it.

Whatever it was, it just adds to the amount of misinformation pumped out by the Council on this development and I can foresee the LGO saying "The Council have told you that there is no evidence of deliberate misinformation etc." and complaint not upheld. That is my problem but I think the threat of the F Notice will be yours.

Ms Johnson finished by saying she considers the matter closed and should I continue to

repeat historic complaint issues in your contacts, the Council will consider imposing formal restrictions on your contact with the Council. The threat of a Section F Notice, which you administer, is why I have sent you this covering letter and a copy of my response. It is not clear with what authority she speaks. I consider the matter of the Council misinforming the LGO to be at least a complaint at Stage 3 level, which I believe is your department.

Has Ms Johnson replaced Mr Mansbridge at Stage 2 of the Council's Complaint Procedure?

Kind regards

Michael Dawson

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