

Complaint: 248789 - Unplanned Development on River Drive
Date: 05/12/2019 (17:18:38 BST)
From: mick.dawson@theharbourview.co.uk
To: Nicola Robason
Cc: Emma Lewell-Buck MP, Cllr Angela Hamilton, Mike Harding, Gill Hayton (Solicitor), George Mansbridge, Hayley Johnson, Stephen Hepburn MP, Alison Hoy
Attachments: FoIRequest.pdf (46 KB), Dear Nicola 5-Dec-19.pdf (129 KB)

Dear Nicola,

Please see the Freedom of Information (FOI) request which I have attached. I managed to establish that no retrospective planning application for the shed had been made and I just need you to confirm it. As Monitoring Officer you should be able to do that without any bother. It is a binary choice: Has retrospective planning for the shed been granted: Yes/No.

I have asked your predecessor, Mike Harding, the same question in a different way but he has not answered:

/"Angela and therefore Julie have been misinformed by UK Docks and you can confirm that also. To it bluntly, whoever told them that UK Docks had submitted a retrospective application was lying."/

We, the local residents, all know that UK Docks never made a request for retrospective planning else we would have had notice of it and we had not. We also knew that the shed had been built nearly 3m taller than permitted before the 5th frame went up but the Council said otherwise and misinformed the Ombudsman about it. The reason for this is now known: firstly to hide misconduct and the second to deflect enquiries.

I can foresee that the Council/UK Docks will try the same trick with 'retrospective planning' and this needs to be nipped in the bud hence my FOI and the 'Dear Nicola' letter which I have also attached.

Kind regards
Michael

----- Original Message-----

Subject: RE: Complaint: 248789 - Unplanned Development on River Drive
From: "Customer Advocates" <Customer.Advocates@southtyneside.gov.uk>
Date: Fri, September 16, 2016 10:42 am
To: "mick.dawson@theharbourview.co.uk"

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
CustomerAdvocacy

From: 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 . 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