

Dear Mr Rumney,

April 2021

Shed and Corruption – Part 3

One Sunday in December 2016 the residents of Greens Place were rather rudely awoken by a lot of noise from UK Docks and I did not pay it much attention because I assumed it was from the North Shields Fish Quay, located over the river. That was until I remembered that they did not normally land fish on Sundays being God-fearing people.

I still would not have bothered, had I not remembered that there had been a similar incident a few Sundays before and went along to check if the shed in use and if they were bringing a vessel into it. They were using the shed but not beaching or launching a vessel and I remembered from my meeting with the Principal Planning Officer in 2013 that he had dismissed the 5th condition as he felt it that should have not been applied when the predecessors to UK Docks were granted permission to build the slipway enclosure.

It was only his opinion and not one sheared by anyone who lived within earshot of the shed! I was also aware that UK docks had been making a lot of noise in the months before and remembered that the Council had done nothing about it so I thought [I would send them a reminder, 20-Dec-16](#):

From: Michael Dawson

Sent: 20 December 2016 15:53

To: Complaints

Subject: Re: Sunday Working by UK Docks, River Drive.

Dear Sir or Madam, This is the second time in a few weeks that they have been working on a Sunday. Please acknowledge this complaint as I wish to take the issue up with the ward [Councillor who organised the meeting - see below](#).

Kind regards,

Michael Dawson

Like all complaints about the shed it was never acknowledged [1] and that is the principal method of corrupting the complaints procedure. A variation on [1] is to rewrite the complaint so that the responses do not appear as outright lies and that makes the responses more difficult with which to deal. There will be no record of the complaint against which to gauge the responses of any of or combination of the following:

2. passed back to a closed conversation, meeting or external group [back-pass];
3. neutered by an unfounded contradiction [contradiction];
4. conflated with an exhausted complaint [conflation];
5. forward pass or diverted into dead end [forward-pass].

Unlike Mr Cunningham with the complaint of the 10-Jan-2014, the 2nd planning officer did not have the option of passing it back to the Tyne Gateway Assn so he passed it [forward to Customer Advocacy who said on behalf of Complaints](#) and we see a classic example the forwarding of a complaint and the accompanying diversion:

Dear Mr Dawson

Further to the recent email from you regarding noise at the site of UK Docks

The correct action was to remind UK Docks of their responsibilities but he chose otherwise. In detail: the reminder of the 20th December was about Sunday working which is the 5th Condition, it does not mention noise at all and should have gone Mr Simmonette, the planning officer who

packed the expansion of the yard, but he did not want to admit the breach of the 5th and it was diverted to Alison so he did not have to deal with it.

This was the second time that she had been misinformed by him. The first was explained in Shed and Corruption - Part 2: page 1: *The misdirection even included me in Alison Hoy's email of December 2015 [Part 1: page 9].* [Ms Hoy continued in her response 21-Dec-16:](#)

This matter was considered and responded to by the Local Government Ombudsman in response to the earlier complaint they investigated on your behalf. Decision notice point 16 advised: The Authority's view is that condition 5 should not have been imposed because the site already had the benefit of unrestricted working hours. I cannot comment on this.

The Ombudsman was wise not to comment. The Authority (Tyne and Wear Development Corporation) added condition 5 out of consideration of the residents who overlooked the site, those in Greens Place, and South Tyneside Council did not oppose it because they intended to see that the wasteland that was Velva Liquids was replaced with housing which was to become, Harbour View:

5. No works, other than the launching or beaching of vessels, shall take place within the shelter between the hours of 7pm and 7am Monday to Saturday and not at all on Sundays or Bank Holidays unless any written consent of variation is previously given by the Development Corporation as local planning authority.

It very clearly says the Development Corporation was the planning authority so how did paragraph 16 of the Ombudsman findings become:

#16. The Authority's view is that condition 5 should not have been imposed because the site already had the benefit of unrestricted working hours. I cannot comment on this. I do not know how the business operated in 1996 and it is too long ago for the Ombudsman to investigate.

Alison continued:

The matter was also considered in the committee report for the latest planning application for the site: 5.61 It would be unreasonable to seek to impose a planning condition restricting the working hours of the boat repair business or restricting the types of works associated with boat repairs at this application site as it is an established boat repair yard.

We are back with shed/site argument and getting nowhere. That was lifted from report recommending the expansion of UK Docks works, to be presented to the Planning Committee meeting of the 1st February 2016 – contact officer, Mr Gary Simmonette. #5.61 *appears to be the opinion of the author of the report if it was not Mr Simmonette!*

To clarify what going on, one needs to refer to the time-line and here it may be better [to reproduce what lies at the heart of my response to Alison, 22-Dec-16:](#)

- *my complaint is about Sunday working;*
- *no feedback reference number has been provided - I need one for escalation;*
- *this has referred to you and not the Environmental Health Team;*
- *'allegations of noise nuisance' * - As I understand it, it was the noise that brought to our attention that Sunday working was taking place.*
- *para 16 – I complained to the LGO the Council were being inconsistent about condition 2 – I made no mention of Condition 5 – nor did I make any reference to condition 5 in my original complaint to the Council, 10th Jan 2014. The enclosure was built outside the remit of the original plan.*

■ para 5.61 – I have no record of a retrospective request for change to condition 5 – 7am to 7pm but not Sundays or Bank holidays. Is there some private agreement between the Council and UK Docks?

* I think you will find that while I have often mentioned noise in my correspondence with the council I have not complained specifically about it before. The 'allegations of noise nuisance' seems to be a totally unjustified statement.

As far as I know, Corporate Lead used the term allegations in 'matters and allegations' in [what I thought to be a rather less than straightforward reply to the MP for Berwick](#).

NB - Attachment 6, and as Alison was unwilling to let me have a copy of either the main letter or the other attachments it is reasonable to assume that the **allegations theme** was developed further. By the 4th of January whoever was advising Alison was clutching at straws because my complaint to the [Ombudsman a was about the breach of the second condition not the fifth](#).

As I said, it was just a planning officer's opinion and even the Ombudsman has said that she could not comment on this. Because the complaint about the 5th Condition was not registered there was no record of Alison's response either, [she was able to send me round the cycle of deceit again](#) but you will notice this time I included Cllr Anglin as a sort of witness to what is going on. He proved to be extremely unreliable but was the only one available as I had not met with the MP or Cllr Hamilton till later in 2017.

By the 9th of January Alison had created a complaint about noise for me with a reference number 300150 but I still did not have one for Sunday Working and by then [Cllr Anglin had washed his hands of the business](#).

He was, to all intents and purposes, letting me be accused of making allegations about the noise being created on Sunday December the 18th so I sent a photograph of the shed being put to use that morning. It was taken by a neighbour. There were no vessels being taken onto the slipway or being launched that day!

If the facts are checked it is Cllr Anglin who was making an allegation about the residents that he was elected to represent, not just me. In this he has taken a leaf out of the Corporate Lead's copy book.



To justify the fact that there were no approved drawings to back UK Dock's and the Council's claim that their shed was the permitted height she misled the MP for Berwick by implying that our claims were baseless allegations – [see last page of Part 1](#).

As Cllr Anglin bows out so Mr Burrell makes an entrance and I will not bore you with all the details except to say that he leaves the stage with:

From: Kevin Burrell <Kevin.Burrell@southtyneside.gov.uk>

Sent: 07 February 2017 15:21

To: Michael Dawson, Customer Advocates

Subject: RE: Noise nuisance complaint - UK Docks.

Dear Mr Dawson

Thank you for your email. I have closed your complaint reference 272189 relating to a noise nuisance investigation.

Kind Regards

Technical Officer, Environmental Health & Resilience, South Tyneside Council

He was quite insistent that I used a time-sheet belonging to 272189 but it was for a complaint belonging to another resident which had expired a while before 18-Dec-2016. Customer Advocates confirmed this a bit later: [The reference number 272189 does not refer to a feedback logged on your behalf but to a 3rd party. This cannot therefore be sent to you.](#)

My visit to the Town Hall on 1-Feb-2017 confirmed that 'Gary' had not raised a complaint about breach of the 5th Condition. It appears that Mr Simonette was well versed in how to corrupt the Council's Complaints Procedure. First of all he fails to register a complaint about it [1] then lays it off to Customer Advocates to spout misinformation at me [5].

Mr Burrell was no better, he supplies me with time-sheets for **a closed complaint**, a back pass [2] in other words, and fails to register my complaint or pass the complaint [1]. Alison did register one about noise 300150 but by that time I was aware that the time sheets being monitored by Mr Burrell were of no value. [My request that he get a grip on things, 6-Feb-17, was ignored: Please forward this to Customer Services - If neither incident 272189 nor 300150 can be reassigned to your Planning Section please ensure that both are closed and a new one raised for Sunday working by UK Docks. They were at work again yesterday.](#)

Alison made it very clear that she was writing on behalf Customer Advocacy when she was spouting misinformation so she was probably aware that it was a load of bull but notice how the primary methods of corrupting the complaints process come naturally all three and here is a good point to reintroduce [the Council's Corporate Lead who had written to me on the 17-Jan17: You have however continued to email Council officers on several occasions attempting to initiate further investigations into the dimensions of the build of the shed and also the working hours of the site..](#) Please see shed/site argument above [3 contradiction] and note that she has merged [4 conflation] the first and second conditions.

That was not the first demonstration of her skills in corrupting the system, that came in her response to [my letter written to the MP for Berwick in June 2015](#) which I had copied to the Chief Executive for South Tyneside Council. Do not ask why she was involved, the shed was not in her constituency but someone had picked up the fact that I was lodging in Amble at the time, and I said: *You have not specified that the stated height (15.5m) is of the river end of the shelter and it is likely that, Mr Swales, if he follows the arguments of the Planning Manager and the Head of Development Services before him, will say it refers to the road end.*

I went on to explain that it was a repeat of a fraudulent misrepresentation [although I did not put it in those terms](#): *This drawing, 8296/14, is available on the planning portal for all see (8296/1A is not readily available) and it shows the river end gable with door fittings. It has sufficient detail on it to determine that the height is near enough 15.5m i.e. - nowhere near the 18m of the built height of the river end.* It looks like she found what I told Anne-Marie Trevelyan was true but could not admit it. [Her response was to denigrate the good people of South Shields](#): [3 contradiction] *The matters and allegations raised by your constituent are well documented and have been subject to a number of enquiries from Mr Dawson and other local residents over a lengthy period of time.*

If you look at [Shed and Corruption – Part 1](#) you will find nothing has changed since I wrote to Anne-Marie nearly six years ago. The shed is still nearly 3m taller than planned.

The second demonstration of Mrs Johnson's skills [came with her threat to section me](#), 1-Aug-16, following my complaint to the Chief Executive that his staff had been giving misinformation to the Ombudsman.

She scores top marks, because not only did she unjustly section me, detail in [Shed and Corruption – Part 2: Big Deceit](#) onwards, she did not register the complaint [1], secondly she said there was no evidence [3] and lastly she hid the fact I had told her that [I had sought advice from a solicitor to ask for a 'new' complaint](#), 26-Jan-16 [2 is nearest fit].

He also suggested a civil court may not be the best way forward but he did say that in his view we needed to raise a new complaint. The new complaint being the misinformation and/or misrepresentation by the Local Authority in supplying information to the LGO.

She ignored that and what was worse [she did not tell Customer Advocacy \(CA\) that I had consulted a solicitor](#). I tried to make CA aware of this but they passed the email back to the Corporate Lead to answer [2].

Mr Swales has moved on but CA should be able to confirm that there was only **one complaint** about the Council misleading the Local Government Ombudsman (LGO) and when the shed is 3 meters taller than planned, **it was entirely reasonable to claim** that it was so. I thought [I had made the truth of that perfectly clear to him in July 2016](#), in brief:

Before I go any further I will say that drawings 8296/1A and B have not been authorised by the Tyne and Wear Development Corporation but 8296/2 has. Using the gradient the heights are: river end 16m, landward end 13m. Please refer to 'Shed and Corruption – Part 1' for a fuller explanation.

[Equally Mrs Johnson was again advised that the shed was taller than planned](#): *The Solicitor's view, off the record, was that UK Docks, in saying they were building the shed to approved plans when they were not, was probably criminal fraud but the police were unlikely to act on a planning issue. He also suggested a civil court may not be the best way forward but he did say that in his view we needed to raise a new complaint. The new complaint being the misinformation and/or misrepresentation by the Local Authority in supplying information to the LGO. It so happens I'm using the UK Docks development but I could be using the application for demolition of the Beacon for instance.*

CA were copied this as well you must agree that while I over egged the point about the shed being taller than planned it is still true and [Alison was wrong to pass it back to Mrs Johnson](#) [2]. I'd long suspected that my incoming mails to Complaints/Planning Enquiries were being diverted, the trap lies in the gobbledegook at the top, so that direct questions like '**What was the approved planned height**' could be avoided.

Notice Alison was using [PROTECT] when she directed me [away from communicating with the Monitoring Officer in this respect](#). Notice also that she is accusing me of making allegations:

From your email title it would appear to refer your earlier allegations that the Council in some way provided mis-information to the Local Government Ombudsman.

She has been misinformed because they are not allegations at all. The shed is after all 3m taller and a meter wider than permitted, see Parts 1 and 2 of Shed and Corruption. That neatly links Mrs Johnson those giving misinformation to the LGO. Not only Alison has been misinformed but the Head of Legal Services when he was Monitoring Officer as well. That poisoned chalice was passed to the current holder for some reason. For instance if planning officers are content to mislead the LGO they will have no qualms about lying to the Monitoring Officer who ever he or she is.

Before I close, may I remind you the breaches of the fifth condition by UK Docks like those of the second have never been recorded by South Tyne Council so they need take no enforcement action on them and I have explained how this came about with particular attention in the attached document:- Shed and Corruption – Part 3.

I'll leave you to explain **why** it came about.

Yours sincerely
Michael Dawson