

Letter from Mr McNeal, Wirral Council, Legal Department, to applicant

This is the letter from Mr McNeal to the applicant as the second stage of the Complaint Process.

Most of the comments from Ms McDougall's investigation are equally relevant to the quality and depth of Mr McNeal's investigation – there appears to be no in-depth investigation, no site visit, little or no fact-checking, etc., but we ask the reader to make up their own mind.

The applicant responds to this letter in an email to Paul Satoor, CEO, pointing out significant discrepancies and bias in the points Mr McNeal raises and a failure to read or digest the issues. There is no evidence in his response that Mr McNeal has read or come to grips with the details previously sent to Ms McDougall or read the email exchange between the applicant and the planning officer.

He also questions the suitability of Mr McNeal to deal with such issues. For example, amongst Mr McNeal's first points is that Cllr Hodson is not on the Planning Committee, but he then fails to balance this by stating that Cllr Hodson's wife is on the Planning Committee – a significant conflict of interest. The applicant comments on other points and ends his response by stating that Mr McNeal has stripped the Council's complaint process of any remnants of integrity.

Wirral Council
P.O. Box 290
Brighton Street
Wallasey
CH27 9FQ

Website: www.wirral.gov.uk

to

date 16 December 2024

your ref
my ref
service

Tel 0151-666-3057

email matthewneal@wirral.gov.uk

BY EMAIL ONLY

Dear

Re: Stage 2 Complaint –

I have been allocated your complaint reference [REDACTED] in relation to planning application [REDACTED], to consider under stage 2 of the Council's Corporate Complaints procedure. I have had no prior involvement in your complaint, and I work in a department with no direct responsibility for the service area which is the subject of your complaint.

In line with the recommendations of the Local Government and Social Care Ombudsman, the second stage is led by me as a senior officer from another department. I have reviewed whether the Council has responded appropriately to your concerns raised at an earlier stage. As you will be aware, a Stage 1 response was sent to you via email on 18 November 2024 by Miss Alexandra McDougall, Principal Planning and Enforcement Team Leader.

Point 1

You state that Planning Committee was the projected destination for your planning application and that you find the decision to refuse the application prior to Planning Committee suspicious. You also state that the plans to put the application before Planning Committee were corrupted. You also state that Councillor Andrew Hodson has previously found ways to reject plans based on their personal opinions.

I refer you back to the stage one response. Planning applications which receive 15 individual written objections or more will be recommended for Planning Committee unless the application is recommended for refusal, in which case, the application may be determined by an Officer. As such, it was reasonable to progress your application on the basis that it might progress to Planning Committee if approved.

I cannot identify any evidence of improper interference with the decision-making process. Furthermore, Councillor Andrew Hodson is not a member of Planning

Committee so I do not see how he can be said at any point to have found ways to reject plans.

Point 2

You ask for the full planning application to be put before Planning Committee. The application for planning permission has been refused. You are entitled to appeal the decision to the Secretary of State. Full details of how to make an appeal were provided in our Decision Notice dated 6 November 2024.

Point 3

You state that you would welcome an explanation from the neighbours clarifying why they objected to your application, but not to similar applications made by others. Unfortunately, this is a private matter and not something that the Council can facilitate.

Point 4

You state that you have been subject to racism and racist abuse. The Council takes allegations of such behaviour very seriously and encourage you to report your experiences to neighbour.nuisance@wirral.gov.uk for further investigation and/or the police.

Point 5

You state that the plans ultimately submitted were Sarah's plans, not yours. I have nothing further to add to in relation to this point beyond what was stated in our stage one response.

Point 6

You have requested a copy of the full complaint process. Details of our complaints process and full complaints policy can be found at <https://www.wirral.gov.uk/about-council/complaints-compliments-and-feedback/complain-or-give-compliment-wirral-council>.

This is a final response to your complaint/appeal. You may now complain to the Local Government and Social Care Ombudsman. The Ombudsman is not a further appeal. It looks at whether public bodies have followed the right steps when taking action or reaching a decision.

The Ombudsman decides whether it can and should investigate complaints. For example, the Ombudsman may decide not to investigate your complaint if you have not been significantly personally affected by the issue you are raising. You can find out more information about what complaints the Ombudsman may consider on its [website](#).

If you wish to raise your complaint with the Ombudsman, you can find out more information about how to do so below:

Website: <https://www.lgo.org.uk/how-to-complain>

Telephone: 0300 061 0614

Yours sincerely

A handwritten signature in black ink, appearing to read 'M. Neal'.

Matthew Neal

Lead Principal Lawyer Regeneration, Planning and Property

For and on behalf of Wirral Borough Council