


APPENDIX A

|  | Name  | Modified  | Modified By  | File Size  | Sharing |
|---|--|--|---|---|--|
|  | Asbestos & Non Asbestos Records | February 7, 2019 | Karl Dickinson | 12 items |  Shared |
|  | Asbestos Surveys - inc Restart | February 27, 2019 | Karl Dickinson | 21 items |  Shared |
|  | Asbestos Surveys - STDC Pre Demolition | February 27, 2019 | Karl Dickinson | 14 items |  Shared |
|  | Ordnance Survey Maps | February 27, 2019 | Karl Dickinson | 2 items |  Shared |
|  | Plant & Process Information | February 5, 2019 | Karl Dickinson | 7 items |  Shared |
|  | Site Remediation Cost Estimates | February 21, 2019 | Karl Dickinson | 4 items |  Shared |
|  | Spreadsheet Questions requested by SSI Th... | February 26, 2019 | Karl Dickinson | 3 items |  Shared |
|  | STDC GI Investigations | February 5, 2019 | Document Controller (STD | 12 items |  Shared |
|  | Disclaimer -To be read first.docx | February 5, 2019 | Karl Dickinson | 11.4 KB |  Shared |

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RMH Coal Side Control Building Asbestos Register.docx
 RMH Coke Ore 66kV Substation Asbestos Register.docx
 RMH MGR Station Control Room Asbestos Register.docx
 RMH MGR Station Control Room Non-Asbestos Record.docx
 RMH OC3 Substation Asbestos Register.docx
 RMH OC4 Building Asbestos Register.docx
 RMH OC4 Building Non-Asbestos Record.docx
 RMH Ore Substation Asbestos Register.docx
 RMH Signal Box Asbestos Register.docx
 RMH Signal Box Non-Asbestos Record.docx
 RMH Stackers-Reclaimer Non-Asbestos Record.docx
 RMH T2 Main Workshop Asbestos Register.docx
 RMH T2 Main Workshop Non-Asbestos Record.docx
 RMH T3 Main Offices Asbestos Register (Ver8).docx
 RMH T3 Main Offices Non-Asbestos Record.docx
 RMH T6 Control Tower Asbestos Register.docx
 RMH T6 Control Tower Non-Asbestos Record.docx
 RPS 66kV Substation Asbestos Register.docx
 RPS Elec + Mech Consumables Asbestos Register (Ver 12).docx
 RPS External Areas Asbestos Register.docx
 RPS Fire Doors Asbestos Register.docx
 RPS Main Offices Asbestos Register.docx
 RPS Main Offices Non-Asbestos Record.docx
 RPS Transformer Pen 261 Non-Asbestos Record.docx
 RPS Turbine Hall Crane Asbestos Register.docx
 RPS Turbine Hall Crane Non-Asbestos Record.docx
 RPS Workshops Asbestos Register (STSC) (Ver3).docx
 RPS Workshops Non-Asbestos Record.docx
 RSP 66kV Substation Asbestos Register.docx
 RSP Process Electrical Asbestos Register.doc.docx
 RSP Process Mechanical Asbestos Register.docx
 S1 Main Control Building Asbestos Register.docx
 S1 Main Control Building Non-Asbestos Record.docx
 S13 Amenity Building Asbestos Register.docx
 S13 Amenity Building Non-Asbestos Record.docx
 S16 Sample House Asbestos Register.docx
 S16 Sample House Non-Asbestos Record.docx
 S2 Main Offices and Workshop Asbestos Register.docx
 S2 Main Offices and Workshop Non-Asbestos Record.docx
 Dock Road 66kV Substation Asbestos Register.docx
 Ex-Clothing Store Redcar Asbestos Register.docx
 IGP Office and Amenity Asbestos Register.docx
 IGP Office and Amenity Non-Asbestos Record.docx
 IGP Process Areas Non-Asbestos Record (STSC).docx
 Lackey Gatehouse Non-Asbestos Record.docx
 Lackenby Gatehouse Asbestos Register.docx
 Lackenby Medical Centre Asbestos Register (Ver 4).docx
 Lackenby Medical Centre Non-Asbestos Record.docx
 Lackenby North Substation Non-Asbestos Record.docx
 No 4 Road Weighbridge Asbestos Register.docx
 No 4 Road Weighbridge Non-Asbestos Record.docx
 P4 Workshops and Offices Asbestos Register (Ver6) (STSC).docx
 Permanent Way Rerailing Store Non-Asbestos Record.docx
 Production Services BOS Cabin Asbestos Register.docx
 Production Services BOS Cabin Non-Asbestos Record.docx
 Production Services Office (Cleveland) Asbestos Register (Ver3).docx
 Production Services Office Non-Asbestos Record.docx
 RDL Stores Asbestos Register (STSC) (Ver3).docx
 RDL Stores Non-Asbestos Record.docx
 Redcar Gatehouse Asbestos Register (Ver2).docx
 Redcar Gatehouse Asbestos Register.docx
 Redcar Gatehouse Non-Asbestos Record.docx
 Redcar OC9 Weighbridge Asbestos Register.docx
 Redcar Site Lighting Towers - Asbestos Register.docx
 Steel House Asbestos Register (Ver 28).docx
 Steel House Data Centre Asbestos Register.docx

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Steel House Data Centre Non-Asbestos Register.docx
Steel House Non-Asbestos Record.docx
Teesside Management Offices Asbestos Register.docx
Teesside Management Offices Non-Asbestos Record (Rev2).docx
Tod Point 11kV Substation Asbestos Register.docx
01 SBCO Piped Services Asbestos Register.docx
Battery Control Substation Asbestos Register.docx
By-Products Main Substation Asbestos Register.docx
Davenport Substation Asbestos Register.docx
East Coke Substation Asbestos Register.docx
Holmebeck 11kV Substation Asbestos Register.docx
Old Davenport Substation Asbestos Register.docx
Old Naphthalene Substation Asbestos Register.docx
Riverside Pumphouse 11kV Substation Asbestos Register.docx
SBCO Asbestos Steam Pipework (Benzole Plant to Main Water Pumphouse).pdf
SBCO Asbestos Steam Pipework (Jubilee Way).tif
SBCO Asbestos Steam Pipework (Pumphouse to Scrubbers).pdf
SBCO Asbestos Steam Pipework (Tar Tanks & Benzole Loading).pdf
SBCO Asbestos Steam Pipework (Workshop to Pumphouse).pdf
SBCO Battery Control Room Asbestos Register.docx
SBCO Battery Control Room Non-Asbestos Record.docx
SBCO Battery Heating Asbestos Register.docx
SBCO Battery Heating Non-Asbestos Record.docx
SBCO Battery Service Bunker Asbestos Register.docx
SBCO BJs Amenity Building Asbestos Register.docx
SBCO BJs Amenity Building Non-Asbestos Record.docx
SBCO Brickshed Asbestos Register.docx
SBCO Coke Wharf Cabin Non-Asbestos Record.docx
SBCO Dalkia Boilerhouse Asbestos Register.docx
SBCO Main Amenity Building Asbestos Register.docx
SBCO Main Amenity Building Non-Asbestos Record.docx
SBCO Main Engineering Workshop Asbestos Register (Ver 3).docx
SBCO Main Engineering Workshop Non-Asbestos Register.docx
SBCO Main Offices Asbestos Register (Version4).docx
SBCO Main Offices Non-Asbestos Record.docx
SBCO Main Substation Asbestos Register.docx
SBCO Security Gatehouse Asbestos Register.docx
SBCO Security Gatehouse Non-Asbestos Record.docx
SBCO Swinden Labs Hut Asbestos Register.docx
SBCO Wagon Repair Shop Asbestos Register.docx
SBCO Wagon Repair Shop Non-Asbestos Register.docx
SBCO Wilputte Quencher Non-Asbestos Record.docx
SBCOBU~1.DOC
West Coke Substation Asbestos Register.docx
Wharf Substation Asbestos Register.docx
Wilputte Quencher Switch House Asbestos Register.docx
01 Steelmaking Cranes Overview.docx
02 BOS North Charger Crane Cabin Asbestos Register.docx
02 BOS South Charger Crane Cabin Asbestos Register.docx
03 BOS North Teemer Crane Cabin Asbestos Register.docx
03 BOS South Teemer Crane Cabin Asbestos Register.docx
04 BOS North Mould Bay Crane Cabin Asbestos Register.docx
05 Steelmaking Cranes Non-Asbestos Record.docx
BOS 20 metre Minteq Cabin Asbestos Record.docx
BOS 20 metre Minteq Cabin Non-Asbestos Record.docx
BOS 20m Vesselmens Cabin Asbestos Register.docx
BOS 20m Vesselmens Cabin Non-Asbestos Record.docx
BOS AB Vessel Pulpit Asbestos Register.docx
BOS AB Vessel Pulpit Non-Asbestos Record.docx
BOS B Secondary Vent Asbestos Register.docx
BOS B Secondary Vent Non-Asbestos Record.docx
BOS C Secondary Vent Asbestos Register.docx
BOS C Secondary Vent Non-Asbestos Record.docx
BOS C Vessel Pulpit Asbestos Register.docx
BOS C Vessel Pulpit Non-Asbestos Record.docx
BOS Control Building (White House) Asbestos Register.docx

[illegible]

BOS D Secondary Vent Asbestos Register.docx
BOS D Secondary Vent Non-Asbestos Record.docx
BOS Ex-Stores South End Asbestos Register (Ver 4).docx
BOS Ex-Stores South End Non-Asbestos Record.docx
BOS External Area (Willie's Yard) Non Asbestos Register.docx
BOS Garage Asbestos Register Rev1.docx
BOS Garage Non-Asbestos Record.docx
BOS Hot Metal Pit Cabins Non-Asbestos Record.docx
BOS Lance Repair Shop Cabin Asbestos Register.docx
BOS No 3 Ferroalloy Substation Non-Asbestos Record.docx
BOS Offices Asbestos Register.docx
BOS Offices Non-Asbestos Record.docx
BOS Plant Mould Bay Asbestos Register.docx
BOS Plant South Substation Asbestos Register.docx
BOS Plant Vessels Non-Asbestos Record.docx
BOS RH Degasser Control Asbestos Register.docx
BOS RH Degasser Control Non-Asbestos Record.docx
BOS RH Degasser Non-Asbestos Record.docx
BOS Scrap Bay Control Room Non-Asbestos Record.docx
BOS Service House Cabin Asbestos Register.docx
BOS Services Office Asbestos Register.docx
BOS Services Office Non-Asbestos Record.docx
BOS South Sub Boiler Room Non-Asbestos Record.docx
Concast 7 Metre Offices Asbestos Register.docx
Concast Amenity Block Asbestos Register.docx
Concast Amenity Block Non-Asbestos Record.docx
Concast Cable Tunnels Asbestos Register.docx
Concast Cable Tunnels Non-Asbestos Record.docx
Concast Closed Cooling Water Pumphouse Asbestos Register.docx
Concast Hydraulic Cellars Asbestos Register.docx
Concast Main Workshop Asbestos Register.docx
Concast Main Workshop Non-Asbestos Record.docx
Concast Propane Compound Non-Asbestos Record.docx
Concast Slab 1 Control Pulpit Asbestos Register.docx
Concast Slab 1 Control Pulpit Non-Asbestos Record.docx
Concast Slab 2 Control Pulpit Asbestos Register.docx
Concast Slab 2 Control Pulpit Non-Asbestos Record.docx
Concast Stocktakers Cabin Non-Asbestos Record.docx
Concast Tundishmans Cabin Asbestos Register.docx
Concast Water Treatment Plant Non-Asbestos Record.docx
Concast WT Plant Main Substation Asbestos Register.docx
Concast WTP Control Building Asbestos Register (Ver3).docx
Concast WTP Control Building Non-Asbestos Record.docx
SFP 9 Bay Derelict Cabin Asbestos Register.docx
SFP Bay 6 (Big Shed) Asbestos Register (Ver2).docx
SFP Slabyard Amenity Building Asbestos Register.docx
SFP Slabyard Offices Asbestos Register.docx
Steelmaking Ex-No3 Canteen (Rose Cottage) Asbestos Register.docx
Steelmaking Ex-No3 Canteen (Rose Cottage) Non-Asbestos Record.docx
Steelmaking Offices Asbestos Register (Ver 9).docx
Steelmaking Offices Non-Asbestos Record.docx
Steelmaking Stores Asbestos Register.docx
TLRS Old Oven in Mould bay.jpg
BOS Labs Asbestos Register (Ver 5).docx
BOS Labs Non-Asbestos Record.docx
Redcar Technical Centre Asbestos Register (Ver 8).docx
Redcar Technical Centre Non-Asbestos Record.docx
Boileryard Office and Amenity Asbestos Register (STSC).docx
Boileryard Office and Amenity Non-Asbestos Record.docx
Rail Workshop Ex-Loco Shop Asbestos Register.docx
Rail Workshop Ex-Loco Shop Non-Asbestos Record.docx
RAW Bays 1 to 3 Asbestos Register (Ver 3).docx
RAW Bays 1 to 3 Non-Asbestos Record.docx
RAW M1A + M11 Building Asbestos Register (Ver11).docx
RAW M1A + M11 Building Non-Asbestos Record.docx
TLRS Amenity Asbestos Register.docx

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TLRS Amenity Non-Asbestos Record.docx
TLRS Cranes Asbestos Register.docx
TLRS External Areas Asbestos Register.docx
TLRS Office Asbestos Register.docx
TLRS Office Non-Asbestos Record.docx
Blast Furnace SSI Restart - Draft[1].pdf
Blast Furnace, Stoves and GCP Restart Program - Aug 2011.pdf
RBF Stave Row 5 - Analysis (Dec 2011).pdf
RCO (Pipe lagging above CO21) redacted.pdf
RCO By-Products - North Pipe Rack June 2011.pdf
RCO By-Products - Tar and Liquor Section Oct 2011.pdf
RCO CO19 Locker Room Check REDCATED.pdf
RCO Fuel Oil Tank - REDACTED.pdf
RCO Naphthalene Washers Insulation REDCATED.pdf
RCO Waste Oil Tanks REDACTED.pdf
RMH Lighting Tower 20 REDACTED.pdf
RPS - Diesel Generator House - REDACTED.pdf
RPS TB CAF Joints - REDACTED.pdf
RPS TB CAF Joints REDACTEDdoc.pdf
RPS Transformer 261 Pen REDACTED.pdf
Redcar OC9 Weighbridge (Type2 Survey - MIS) Nov 2009.pdf
P4 Pellet Plant Asbestos.pdf
P4 Pellet Plant Workshops, Restart (Sept 2011).pdf
Production Services Office January 2012.pdf
Board.jpg
Corridor Ceiling Tiles.jpg
Corridor Pipe Seal.jpg
Corridor Service Riser.jpg
Crane Brake Lining.jpg
Distribution Board.jpg
Durasteel Doors.jpg
East Stairwell .jpg
Fire Door 2nd Floor.jpg
Fire Door 415v Sub.jpg
Fire Stop.jpg
Firebreak1.jpg
Firebreak2.jpg
Firebreak3.jpg
Infrared.jpg
Oven Door Seal.jpg
Pipe.jpg
Plant Room 1.jpg
Plant Room 2.jpg
Plant Room 3.jpg
Riser 10.jpg
Riser 13.jpg
Riser 29.jpg
Riser 41.jpg
Riser 50.jpg
Shower Cubicle.jpg
Sinter S16 English Electric Isolator.JPG
Sinter S16 Intel.jpg
Sinter S16 Q1438 Isolator.JPG
Sinter S16 RF152 Isolator.JPG
Sinter Sample House S16.pdf
SINTER-1.PDF
Vertical Tiles.jpg
View Panel.jpg
Window Ledge.jpg
Workshop Pipe Lagging.jpg
SD5032v2 - Asbestos Management Survey at Steel House Redcar Redcar and Cleveland TS10 5QW (2014).pdf
BOS Plant - Polysius Demolition - Jan 2012.pdf
Concast - Restart Program - Aug 2011.pdf
Slab Yard Offices and Amenity Lackenby - Nov 2011.pdf
Various Steelmaking Buildings inc No 3 Canteen and Services Office - Jan 2012.pdf
L-04481 - Coal handling control room - Demolition Report.pdf

[illegible]

L-04483 - STDC - Conveyors 121A, 122A&B Construction - Demolition.pdf
L-04484 - Conveyor Tail Unit (P2) construction - Demolition- completion.pdf
L-04485 - Tube City Garage- Workshops - Demolition.pdf
L-04486 - Fabrication shop substation - Demolition.pdf
L-04487 - Old Canteen Building - Demolition.pdf
L-04488 - Oil tanks & bund - Demolition Report.pdf
L-04489 - Fan house and stand - Demolition.pdf
L-04490 - Disused former gate house structure - Demolition.pdf
L-04491 - Disused former sample house - Demolition.- completion.pdf
L-04492 - Coal handling conveyors and Junction Houses. - Demolition.pdf
L-04493 - 2 no. empty gas holder sealant tanks - Demolition.pdf
L-04494 - Store Building (RDL Heavy Store) - Demolition (002).pdf
L-04501 - RBF 1-33 Hot Metal Weighbridge Instrument house - Demolition..pdf
X - OS SSI Redcar 1 of 2.dwg
X - OS SSI Redcar 2 of 2.dwg
Power & Energy.pdf
Redcar Blast Furnace.pdf
Redcar Coke Ovens.pdf
SBCO.pdf
Sinter Plant.pdf
Site HV Config.pdf
Steelmaking.pdf
Copy of Cost data_calcs - CH2M.xlsx
Cost data - CH2M pdf only.pdf
Land Parcel Plan (Cost Estimates).pdf
Letter_STSC_South Tees Cost Estimates.pdf
Need to increase the content of investigation-20190123.docx
READ ME FIRST - Spreadsheet Questions.docx
The questions for SSI REDcar coke plant -20190122.docx
1. 4155 The Former SSI Steelworks, Redcar - Contract 3 (Final Report).pdf
4145 Former SSI Steelworks Redcar - SSI 1, FINAL REPORT.pdf
4153 & 4154 Area A Former Steelworks Redcar Contract 1 & 2 (Area A) (Final report).pdf
4154 The former SSI Steelworks, Redcar - Contract 2 (Area B) Final Report.pdf
678079_600_012 - Former SSI Steelworks GI Contract 1 with Co-ords.pdf
678079_600_013 - Former SSI Steelworks GI Contract 2 with Co-ords.pdf
678079_600_014 - Former SSI Steelworks GI Contract 3 rev1.pdf
BG7F01-14 AEG Ltd - Redcar - Phase I-III July 2017 - RP1.pdf
BG8B01-24 AEG Ltd - Redcar SLS1015 - Phase I-III Apr 2018 - RP2.pdf
CH2M - Factual Report SSI 1 - Nov 17.pdf
CH2M Factual - REPORT SSI 2 Nov 17.pdf
Replacement Landfill Boreholes - CQA Validation Report 3777410007_01.pdf

APPENDIX B

Manage Access

Links Giving Access



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Direct Access



Document Controller (STDC)

Owner



Karl Dickinson
General Manager





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Link settings



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Leigh Gooding
Project Manager





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peterr@ssi-steel.com
EXTERNAL USER



simonmh@hotmail.co.uk
EXTERNAL USER



ian.wharton@rvagroup.org
EXTERNAL USER



peter.roberts@dwdllp.com
EXTERNAL USER



richard.greeves@dwdllp.co...
EXTERNAL USER



paul.smith@cerberus-grou...
EXTERNAL USER





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EXTERNAL USER



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EXTERNAL USER



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EXTERNAL USER



supachedp@ssi-steel.com
EXTERNAL USER



APPENDIX C

John McNicholas

From: Karl Dickinson
Sent: 18 January 2019 15:16
To: Simon Melhuish-Hancock
Cc: Paul Booth; Andy Teague; Leigh Gooding; Peter Rowson; Peter Roberts; John McNicholas; David Allison
Subject: RE: SSI VALUATION VISIT WEEK COMMENCING 21/01/2019

Simon / Peter,

Conscious of your emails yesterday, Re advance availability of reports etc.

We have had much conversation in-house and with the with the Official Receiver in relation to your request. STSC still has a legal obligation to the O.R. via a management agreement and as such the receiver is reluctant to pass over electronic or hard copies of information. However, I have sought agreement with him that drawings may be viewed on screen during the visit. Copies of any specific drawings may then be requested and referred to the O.R. which will either be carried out during or after the visit, as is required.

STDC personnel are currently pulling together reports which have been commissioned by them in relation to ground survey work undertaken since very early 2017. I believe this will be uploaded to a web box and I will pass on the details as I receive them.

Any information that is passed over, whether it be verbal, written or otherwise will be done so with the following understanding:-

The STSC and STDC organisations will endeavour to provide as much information as they are respectively able to do relevant to the described purpose of the visit and the related analytical work to be undertaken by the appointed consultants, taking due cognisance of the various information ownerships and the need to secure necessary permissions from information owners. Any information that is provided will, by typology, be factual information rather than interpretative. Much of the information will be historic and will be comprised almost entirely, if not wholly, of technical information derived from the work of other parties. While it will be provided in good faith, neither STSC nor STDC offers any guarantee on the accuracy of such information. Therefore, reliance on said information will be at the risk of SSI and any of its appointed advisors.

Kind regards,
Karl

Karl Dickinson
General Manager
South Tees Site Company Ltd.
07730 695 975
01642 40 8616

From: Simon Melhuish-Hancock <simonmh@hotmail.co.uk>
Sent: 17 January 2019 13:37
To: Karl Dickinson <karl.dickinson@stscld.co.uk>
Cc: Paul Booth <Paul.Booth@teesvalley-ca.gov.uk>; Andy Teague <andy.teague@stscld.co.uk>; Leigh Gooding <Leigh.Gooding@stscld.co.uk>; Peter Rowson <PeterR@ssi-steel.com>; Peter Roberts <peter.roberts@dwdllp.com>
Subject: RE: SSI VALUATION VISIT WEEK COMMENCING 21/01/2019

One further thing please Karl. At the meeting we had with Paul on 7th January, it was agreed that STDC would make available a number of documents for the banks, SSI and the various valuers. This was going to

be arranged by Addleshaw Goddard through a so-called internet “portal” that everyone would be able to access. Unfortunately, nothing seems to have happened so far. Consequently, it would be helpful if you could make available physical copies of all the building drawings, layouts and plans that you have, at your office next week. I am not asking for additional copies to be made, simply that they are available to the valuers (mainly DWD and RVA), to avoid the necessity of taking detailed measurements, etc.

Thanks in advance.

S.

Simon Melhuish-Hancock

UK General Counsel

Sahaviriya Steel Industries Public Company Limited

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E: simonmh@hotmail.co.uk

W: www.ssi-steel.com

John McNicholas

From: Karl Dickinson
Sent: 05 February 2019 07:14
To: David Allison; John McNicholas
Cc: Andy Teague
Subject: VALUATION VISIT INFORMATION REQUESTS

Please note,

Based on the emails from Friday I intend to provide access for the visitors to the GI reports commissioned by STDC via the DC One Drive.

Please note, at present the Official Receiver is reluctant to give access to any drawings as they have a copywrite text, either from the original British Steel Corporation or from the designer of the equipment. Latest note from Julie last night was not to give anything from the Cabinet system at this stage.

Asbestos register reports have previously been branded with STSC logo (as part of a modernisation of the system), however, they still contain dates of the original reports, which are before STSC came into being. The Official Receiver has suggested we remove the dates. Lucy is currently doing this for me. Once ready, I will upload these to the DC One Drive.

Information surrounding 'what equipment is missing', is in the hands of the O.R. and Ken has confirmed to me that this is a Liquidation matter and I won't be responding to this request, we don't have the full information anyway so and list we create would not be complete.

Please note, Once I advise the visiting group that the information is ready to view, then I will also send the disclaimer provided to me by John.

Regards,
Karl

Karl Dickinson
General Manager
South Tees Site Company Ltd.
07730 695 975
01642 40 8616

John McNicholas

From: Karl Dickinson
Sent: 05 February 2019 07:19
To: John McNicholas; David Allison
Cc: Andy Teague
Subject: FW: Em012219; ESL640 SSI Teesside Documentation

FYI
Karl

Karl Dickinson
General Manager
South Tees Site Company Ltd.
07730 695 975
01642 40 8616

From: Karl Dickinson
Sent: 05 February 2019 07:16
To: 'Julie Agnew' <Julie.Agnew@dwf.law>; Ken Beasley <ken.beasley@insolvency.gsi.gov.uk>
Subject: FW: Em012219; ESL640 SSI Teesside Documentation

Morning both.

This is the email I received last week from one of the chaps.
Thanks,
Karl

Karl Dickinson
General Manager
South Tees Site Company Ltd.
07730 695 975
01642 40 8616

From: Peter Roberts <peter.roberts@dwdllp.com>
Sent: 31 January 2019 14:11
To: Karl Dickinson <karl.dickinson@stscld.co.uk>; Paul Smith <Paul.Smith@cerberus-group.com>
Cc: Mark Taylor <Mark.Taylor@rvagroup.org>; Richard Greeves <richard.greeves@dwdllp.com>; Ian Wharton <Ian.Wharton@rvagroup.org>
Subject: RE: Em012219; ESL640 SSI Teesside Documentation

Karl/Paul – I trust you are keeping warm!

Karl – When will we receive the information requested below and held by STDC/STSC? This has been repeatedly promised since before the site visit was arranged and delivery dates keep slipping hence I can only assume that there is an issue that is delaying the release. I would be grateful if you would advise me in this regard.

Paul – The same question applies – i.e. what is the timeline for receipt of the requested information held by the OR and what are the issues that are delaying release?

As you are aware this information is required to engage with STDC in a meaningful manner and RVA/DWD will need time to review and digest this information to be able to properly advise our clients. We already have less time than we sensibly require in this regard so the continuing delay is less than ideal.

I am happy to discuss on the phone if that would assist.

Kind regards

Peter

Peter Roberts
FRICS CEnv
Partner



Chartered Surveyors & Town Planners
6 New Bridge Street
London
EC4V 6AB

D: 020 7489 4835
M: 07917194972
T: 020 7489 0213
peter.roberts@dwdlp.com
www.dwdlp.com
A small blue square icon with the word 'Linked' in white and a white 'in' inside a blue circle.

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From: Karl Dickinson <karl.dickinson@stscld.co.uk>

Sent: 26 January 2019 10:33

To: Ian Wharton <ian.wharton@rvagroup.org>

Cc: Paul Smith <Paul.Smith@cerberus-group.com>; Mark Taylor <Mark.Taylor@rvagroup.org>; Peter Roberts <peter.roberts@dwdlp.com>; Richard Greeves <richard.greeves@dwdlp.com>; Peter Rowson SSI <PeterR@ssi-steel.com>; Simon Melhuish-Hancock SSI <simonmh@hotmail.co.uk>

Subject: Re: Em012219; ESL640 SSI Teesside Documentation

Understand Ian.

I have sought permission from the O.R. but will follow up on Monday.

Regards.

Karl

Sent from my iPhone

On 26 Jan 2019, at 07:18, Ian Wharton <ian.wharton@rvagroup.org> wrote:

Hello Paul/Karl;

Thanks for help this week, much appreciated.

Can you please say Monday? let us have some feedback as to which documents will be available, and when.

SSI are asking RVA/DWD to hit certain deadlines during February for which this documentation would be useful/essential in some cases.

Hope this makes sense; any queries please get in touch.

Thanks; Ian.

Ian Wharton
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m +44 7702 084203
im lan.Wharton@rvagroup.org
t +44 208 387 1323 (Head Office)
f +44 208 387 1328
w www.rvagroup.org

This mail is subject to our disclaimer which may be viewed with our corporate registration information by clicking on **Disclaimer**

From: Ian Wharton

Sent: 23 January 2019 06:39

To: Paul Smith Cerberus <paul.smith@cerberus-group.com>; Karl Dickinson STSC
<karl.dickinson@stsc ltd.co.uk>

Cc: Mark Taylor RVA <mark.taylor@rvagroup.org>; Peter Roberts DWD
<peter.roberts@dwdllp.com>; Richard Greeves DWD <richard.greeves@dwdllp.com>; Peter Rowson
SSI <PeterR@ssi-steel.com>; Simon Melhuish-Hancock SSI <simonmh@hotmail.co.uk>

Subject: RE: Em012219; ESL640 SSI Teesside Documentation

Hello Karl/Paul;

Thanks for help yesterday, much appreciated.

As discussed couple of additional documentation requests;

1; Would like to have a specific site plan which shows the railway lines and ownership of such; which sections are SSI please.

2; General Arrangement drawings of BOS Plant Furnace.

Any queries please get in touch.

Thanks; Ian.

From: Ian Wharton

Sent: 22 January 2019 05:35

To: Paul Smith Cerberus <paul.smith@cerberus-group.com>; Karl Dickinson STSC
<karl.dickinson@stsc ltd.co.uk>

Cc: Mark Taylor RVA <mark.taylor@rvagroup.org>; Peter Roberts DWD
<peter.roberts@dwdllp.com>; Richard Greeves DWD <richard.greeves@dwdllp.com>; Peter Rowson
SSI <PeterR@ssi-steel.com>; Simon Melhuish-Hancock SSI <simonmh@hotmail.co.uk>

Subject: Em012219; ESL640 SSI Teesside Documentation

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Ideally these should be provided in an electronic format, and uploaded to a VDR/Portal.

As soon as possible please recognising the timeline we are working to, scheduled late February meeting.

Hope this all makes sense; am with you again this morning, can check you have received this email ok, and any initial queries you may have.

Thanks; Ian.

1; Full site plan, ideally in AutoCAD format which allows us to drill down to individual structures/MPI's.

2; Individual site plans of respective plant areas/structures; including where applicable discrete floor plans.

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This email has been scanned on behalf of Dalton Warner Davis by MessageLabs.

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John McNicholas

From: Karl Dickinson
Sent: 05 February 2019 08:34
To: Procurement STSC; Wisit Somqumlung S.SPO; Sue Houston; Ratchata Jirachotekamjorn S.AVP; Ian Wharton; Mark Taylor; Peter Roberts DWD; Richard Greeves DWD
Cc: David Allison; John McNicholas; Andy Teague; Sarah Unsworth
Subject: ACCESS TO STDC ONE DRIVE

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Karl

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Karl Dickinson
General Manager
South Tees Site Company Ltd.
07730 695 975
01642 40 8616

John McNicholas

From: Karl Dickinson
Sent: 07 February 2019 07:55
To: Ian Wharton; Procurement STSC; Wisit Somqumlung S.SPO; Sue Houston; Ratchata Jirachotekamjorn S.AVP; Mark Taylor; Peter Roberts DWD; Richard Greeves DWD
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Karl

Karl Dickinson
General Manager
South Tees Site Company Ltd.
07730 695 975
01642 40 8616

From: Ian Wharton <Ian.Wharton@rvagroup.org>
Sent: 07 February 2019 07:19
To: Karl Dickinson <karl.dickinson@stscld.co.uk>; Procurement STSC <Procurement@stscld.co.uk>; Wisit Somqumlung S.SPO <WisitS@ssi-steel.com>; Sue Houston <Sue.Houston@southteesdc.com>; Ratchata Jirachotekamjorn S.AVP <RatchataJ@ssi-steel.com>; Mark Taylor <mark.taylor@rvagroup.org>; Peter Roberts DWD <peter.roberts@dwdllp.com>; Richard Greeves DWD <richard.greeves@dwdllp.com>
Cc: David Allison <David.Allison@teesvalley-ca.gov.uk>; John McNicholas <John.McNicholas@southteesdc.com>; Andy Teague <andy.teague@stscld.co.uk>; Sarah Unsworth <Sarah.Unsworth@southteesdc.com>
Subject: RE: ACCESS TO STDC ONE DRIVE

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Can please let us know what plans are for this; just conscious we are working to tight timeline re your meeting on the 28th and this documentation is essential for the preparation work required.
Hope this makes sense; any queries please get in touch.
Thanks; Ian.

Ian Wharton
RVA Group
Kinetic Business Centre
Borehamwood
United Kingdom
WD6 4PJ

t +44 208 387 1323
m +44 7702 084203
im Ian.Wharton@rvagroup.org
t +44 208 387 1323 (Head Office)
f +44 208 387 1328
w www.rvagroup.org



This mail is subject to our disclaimer which may be viewed with our corporate registration information by clicking on **Disclaimer**

From: Karl Dickinson <karl.dickinson@stscld.co.uk>

Sent: 05 February 2019 08:34

To: Procurement STSC <Procurement@stscld.co.uk>; Wisit Somqumlung S.SPO <WisitS@ssi-steel.com>; Sue Houston <Sue.Houston@southteesdc.com>; Ratchata Jirachotekamjorn S.AVP <RatchataJ@ssi-steel.com>; Ian Wharton <Ian.Wharton@rvagroup.org>; Mark Taylor <Mark.Taylor@rvagroup.org>; Peter Roberts DWD <peter.roberts@dwdlp.com>; Richard Greeves DWD <richard.greeves@dwdlp.com>

Cc: David Allison <David.Allison@teesvalley-ca.gov.uk>; John McNicholas <John.McNicholas@southteesdc.com>; Andy Teague <andy.teague@stscld.co.uk>; Sarah Unsworth <Sarah.Unsworth@southteesdc.com>

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Kind regards,
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Karl Dickinson
General Manager
South Tees Site Company Ltd.
07730 695 975
01642 40 8616

John McNicholas

From: Karl Dickinson
Sent: 08 February 2019 14:06
To: Ratchata Jirachotekamjorn S.AVP; Ian Wharton; Procurement STSC; Wisit Somqumlung S.SPO; Mark Taylor; Peter Roberts DWD; Richard Greeves DWD
Cc: David Allison; John McNicholas; Andy Teague; Sarah Unsworth; Supached Pandee S.ETD; Preecha Komthongchuskul S.MMD
Subject: RE: ACCESS TO STDC ONE DRIVE

Dear all,

As emailed earlier this week we have held a telecon with the Official Receiver at 08:00 this morning. The outcome is that an official response will be sent to SSI in relation to the information requested which does not currently reside on the One Drive access, this mainly surrounds drawings.

In relation to the SSI & CERI request concerning items which may longer exist on site, then this is a matter that should be taken up by SSI with the Official Receiver or his representative. I am unable to help any further with this matter.

For those who have looked at the one Drive System this morning you will see that I have uploaded a significant amount of asbestos register details this morning along with formal survey reports, with certain information redacted but not the technical detail. There are more reports to follow. Plant process details were uploaded earlier in the week.

I am happy to answer any questions but please bear with me in terms of the information I am unable to upload at this time.

Regards,
Karl

Karl Dickinson
General Manager
South Tees Site Company Ltd.
07730 695 975
01642 40 8616

From: Ratchata Jirachotekamjorn S.AVP <RatchataJ@ssi-steel.com>
Sent: 07 February 2019 10:02
To: Karl Dickinson <karl.dickinson@stscld.co.uk>; Ian Wharton <Ian.Wharton@rvagroup.org>; Procurement STSC <Procurement@stscld.co.uk>; Wisit Somqumlung S.SPO <WisitS@ssi-steel.com>; Sue Houston <Sue.Houston@southteesdc.com>; Mark Taylor <mark.taylor@rvagroup.org>; Peter Roberts DWD <peter.roberts@dwllp.com>; Richard Greeves DWD <richard.greeves@dwllp.com>
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Subject: RE: ACCESS TO STDC ONE DRIVE

Dear Karl,

Further to exchanged email I, please kindly also arrange the information that my team and CERI's team requested.

Thank you for your help,
Kind Regards,



Ratchata Jirachotekamjorn

AVP.GCT - Group Industrial Control System Technology Office

Sahaviriya Steel Industries Public Company Limited

Mobile : TH (66-8)9836-9894 ,

Ext : 5005

E-Mail : Ratchataj@ssi-steel.com Web site : www.ssi-steel.com

From: Karl Dickinson [<mailto:karl.dickinson@stscld.co.uk>]

Sent: Thursday, February 07, 2019 4:08 PM

To: Ian Wharton; Procurement STSC; Wisit Somqumlung S.SPO; Sue Houston; Ratchata Jirachotekamjorn S.AVP; Mark Taylor; Peter Roberts DWD; Richard Greeves DWD

Cc: David Allison; John McNicholas; Andy Teague; Sarah Unsworth

Subject: RE: ACCESS TO STDC ONE DRIVE

Thanks Ian,
Karl

Karl Dickinson
General Manager
South Tees Site Company Ltd.
07730 695 975
01642 40 8616

From: Ian Wharton <ian.wharton@rvagroup.org>

Sent: 07 February 2019 08:00

To: Karl Dickinson <karl.dickinson@stscld.co.uk>; Procurement STSC <Procurement@stscld.co.uk>; Wisit Somqumlung S.SPO <WisitS@ssi-steel.com>; Sue Houston <Sue.Houston@southteesdc.com>; Ratchata Jirachotekamjorn S.AVP <RatchataJ@ssi-steel.com>; Mark Taylor <mark.taylor@rvagroup.org>; Peter Roberts DWD <peter.roberts@dwdllp.com>; Richard Greeves DWD <richard.greeves@dwdllp.com>

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Andy Teague <andy.teague@stscld.co.uk>; Sarah Unsworth <Sarah.Unsworth@southteesdc.com>

Subject: RE: ACCESS TO STDC ONE DRIVE

Hello Karl;

Ok, understand, thanks for update.

Lets see how your meeting tomorrow goes with OR and what from the current list is agreed to be released.

If can have some feedback tomorrow? on outcome of your meeting that would be great.

Any queries in meantime please get in touch.

Thanks; Ian.

Ian Wharton

RVA Group

t +44 208 387 1323

m +44 7702 084203

im ian.wharton@rvagroup.org

t +44 208 387 1323 (Head Office)

f +44 208 387 1328

w www.rvagroup.org

From: Karl Dickinson <karl.dickinson@stscld.co.uk>

Sent: 07 February 2019 07:55

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t +44 208 387 1323 (Head Office)
f +44 208 387 1328
w www.rvagroup.org



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From: Karl Dickinson <karl.dickinson@stscld.co.uk>

Sent: 05 February 2019 08:34

To: Procurement STSC <Procurement@stscld.co.uk>; Wisit Somqumlung S.SPO <WisitS@ssi-steel.com>; Sue Houston <Sue.Houston@southteesdc.com>; Ratchata Jirachotekamjorn S.AVP <RatchataJ@ssi-steel.com>; Ian Wharton <lan.Wharton@rvagroup.org>; Mark Taylor <Mark.Taylor@rvagroup.org>; Peter Roberts DWD <peter.roberts@dwdlp.com>; Richard Greeves DWD <richard.greeves@dwdlp.com>

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General Manager
South Tees Site Company Ltd.
07730 695 975
01642 40 8616

John McNicholas

From: Karl Dickinson
Sent: 21 February 2019 15:00
To: Ian Wharton
Cc: Mark Taylor; Peter Roberts DWD; Richard Greeves DWD; Peter Rowson SSI; Simon Melhuish-Hancock SSI; Paul Smith; Sarah Unsworth; John McNicholas; Andy Teague
Subject: RE: Em012219; ESL640 SSI Teesside Documentation

Ian,

Following discussions at this end I can now advise that we are able to release the work associated with the CH2M Site Remediation Cost estimates. There are 3 files within the sub folder below which is titled, "Site Remediation Cost Estimates", within the One Drive folder.

I should point out that this information had already been issued to Duff & Phelps / Mishcon de Reya in October 2018 when the valuation was going to be a desktop exercise before the recent site visit was discussed.

Sarah, can you ensure that the current group which has access to the recent folders created in the DC Once Drive Account, also have access to the folder I have just created.

Kind regards,
Karl

https://ssisteel-my.sharepoint.com/:f/g/personal/document_controller_southteesdc_com/EuRSy8UDACBLp9wg_zEdY9YBF4ozhp1XxBUIk5JVN9TIDw?e=IaiDGa

Karl Dickinson
General Manager
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Sent: 13 February 2019 14:06
To: Karl Dickinson <karl.dickinson@stscld.co.uk>
Cc: Mark Taylor <mark.taylor@rvagroup.org>; Peter Roberts DWD <peter.roberts@dwdllp.com>; Richard Greeves DWD <richard.greeves@dwdllp.com>; Peter Rowson SSI <PeterR@ssi-steel.com>; Simon Melhuish-Hancock SSI <simonmh@hotmail.co.uk>; Paul Smith <Paul.Smith@cerberus-group.com>
Subject: RE: Em012219; ESL640 SSI Teesside Documentation

Hello Karl;
Thanks for sorting the IT problems this morning.
Another documentation request;

1; CH2M Report; 'Site Remediation Cost Estimate.'

Also; see attached spreadsheet which lists all our documentation requests. Would it be possible please to update it with your current thinking of what else we can expect to receive, and when; and indeed any that you are aware are not intending to release/outside of our jurisdiction.

Just trying to understand what is anticipated so can plan our work; various milestones looming!
Any queries please get in touch.

Thanks; Ian.



Ian Wharton
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t +44 208 387 1323 (Head Office)
f +44 208 387 1328
w www.rvagroup.org



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From: Ian Wharton
Sent: 23 January 2019 06:39
To: Paul Smith Cerberus <paul.smith@cerberus-group.com>; Karl Dickinson STSC <karl.dickinson@stsc ltd.co.uk>
Cc: Mark Taylor RVA <mark.taylor@rvagroup.org>; Peter Roberts DWD <peter.roberts@dwdllp.com>; Richard Greeves DWD <richard.greeves@dwdllp.com>; Peter Rowson SSI <PeterR@ssi-steel.com>; Simon Melhuish-Hancock SSI <simonmh@hotmail.co.uk>
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Sent: 22 January 2019 05:35
To: Paul Smith Cerberus <paul.smith@cerberus-group.com>; Karl Dickinson STSC <karl.dickinson@stsc ltd.co.uk>
Cc: Mark Taylor RVA <mark.taylor@rvagroup.org>; Peter Roberts DWD <peter.roberts@dwdllp.com>; Richard Greeves DWD <richard.greeves@dwdllp.com>; Peter Rowson SSI <PeterR@ssi-steel.com>; Simon Melhuish-Hancock SSI <simonmh@hotmail.co.uk>
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- 12; Karl?; any other surveys completed post Administration which identifies potential liabilities/values of site/individual areas.

John McNicholas

From: Karl Dickinson
Sent: 27 February 2019 22:05
To: Ian Wharton
Cc: Mark Taylor; Peter Roberts DWD; Richard Greeves DWD; Peter Rowson SSI; Simon Melhuish-Hancock SSI; Paul Smith; PreechaK@ssi-steel.com; Wisit Somqumlung S.SPO; Wisit Somqumlung S.SPO; Ratchata Jirachotekamjorn S.AVP; Ian Wharton; John McNicholas; Paul Booth; Andy Teague
Subject: RE: Em012219; ESL640 SSI Teesside Documentation

Dear all,

I have added further information to some of the existing folders and also added new folders. I've attempted to create a link to all the new folders and individual files where they are within folders already created. (See below the table). The ordnance survey drawings are scaled and indicate the plant structures.











Note: There have been discussions today about remediation costs estimates and reports which had been previously issued. The live spreadsheet has been requested today. This is now included within the 'Site Remediation Cost Estimates' folder and also linked directly below.

I am unable to release any of the drawings I may have shown the visitors on the screen during the visit. I know this has already been indicated to you, PCI was one such drawing I put up for viewing.

I have included the STDC Pre Demolition asbestos surveys. Note, these surveys were not carried out on the main production plants. Everything available is included in the folder of the same name. However, there are Management surveys added prior to the SSI restart in 2012.

Sarah,

Can you please check the group have access to all the new information please.

| Files > SSI Thai Visit Jan 2019  | | | | | |
|---|----------------------|--------------------------|-----------|--|--|
|  Name | Modified | Modified By | File Size | Sharing | |
|  Asbestos & Non Asbestos Reco... | February 7 | Karl Dickinson | |  Shared | |
|  Asbestos Surveys - inc Restart | A few seconds ago | Karl Dickinson | |  Shared | |
|   Asbestos Surveys - STDC Pre De... | 24 minutes ago | Karl Dickinson | |  Shared | |
|   Ordnance Survey Maps | 33 minutes ago | Karl Dickinson | |  Shared | |
|  Plant & Process Information | February 5 | Karl Dickinson | |  Shared | |
|  Site Remediation Cost Estimates | 6 days ago | Karl Dickinson | |  Shared | |
|   Spreadsheet Questions request... | Yesterday at 4:02 AM | Karl Dickinson | |  Shared | |
|  STDC GI Investigations | February 5 | Document Controller (STD | |  Shared | |
|  Disclaimer -To be read first.docx | February 5 | Karl Dickinson | 11.4 KB |  Shared | |

Site remediation costs – working spreadsheet (previously issued as pdf):-

<https://ssisteel->

[my.sharepoint.com/:x/g/personal/document_controller_southteesdc_com/EVKDtHXsN7VPupTcT7m4W60BbP4EwW0GlnZ4aY6KTgebBQ?e=Os6Y2I](https://ssisteel-my.sharepoint.com/:x/g/personal/document_controller_southteesdc_com/EVKDtHXsN7VPupTcT7m4W60BbP4EwW0GlnZ4aY6KTgebBQ?e=Os6Y2I)

Ordinance Survey Maps in Autocad:-

https://ssisteel-my.sharepoint.com/:f:/g/personal/document_controller_southteesdc_com/EgV-j4i8SDVCnW4NKgttB4UB4M7yK6E6N9YBs0IixvkQEA?e=vIWmrf

Spreadsheet Questions asked by Thai SSI team during the visit and issued hard copy during the visit:-

[https://ssisteel-](https://ssisteel-my.sharepoint.com/:f:/g/personal/document_controller_southteesdc_com/ErPutFvCWINOnGaSu2ODUR8BMQGrKS)

[my.sharepoint.com/:f:/g/personal/document_controller_southteesdc_com/ErPutFvCWINOnGaSu2ODUR8BMQGrKS](https://ssisteel-my.sharepoint.com/:f:/g/personal/document_controller_southteesdc_com/ErPutFvCWINOnGaSu2ODUR8BMQGrKS)
[uNuTOqJ1PeBkaRuQ?e=ubaz9I](https://ssisteel-my.sharepoint.com/:f:/g/personal/document_controller_southteesdc_com/ErPutFvCWINOnGaSu2ODUR8BMQGrKS)

STDC Pre Demolition Asbestos Surveys:-

[https://ssisteel-](https://ssisteel-my.sharepoint.com/:f:/g/personal/document_controller_southteesdc_com/EnkeW4xBoTICsmLAA2GR8GkBEUZQIDb)

[my.sharepoint.com/:f:/g/personal/document_controller_southteesdc_com/EnkeW4xBoTICsmLAA2GR8GkBEUZQIDb](https://ssisteel-my.sharepoint.com/:f:/g/personal/document_controller_southteesdc_com/EnkeW4xBoTICsmLAA2GR8GkBEUZQIDb)
[h2Txztz20Veag?e=NHWsbh](https://ssisteel-my.sharepoint.com/:f:/g/personal/document_controller_southteesdc_com/EnkeW4xBoTICsmLAA2GR8GkBEUZQIDb)

Additional Asbestos Surveys With “Asbestos Surveys – in Restart” folder:-

[https://ssisteel-](https://ssisteel-my.sharepoint.com/:f:/g/personal/document_controller_southteesdc_com/EIK9c65E_5IEjC4Si500Ew4B-)

[my.sharepoint.com/:f:/g/personal/document_controller_southteesdc_com/EIK9c65E_5IEjC4Si500Ew4B-](https://ssisteel-my.sharepoint.com/:f:/g/personal/document_controller_southteesdc_com/EIK9c65E_5IEjC4Si500Ew4B-pQawSbBseFOUSB_97kasg?e=rqWPPk)
[pQawSbBseFOUSB_97kasg?e=rqWPPk](https://ssisteel-my.sharepoint.com/:f:/g/personal/document_controller_southteesdc_com/EIK9c65E_5IEjC4Si500Ew4B-pQawSbBseFOUSB_97kasg?e=rqWPPk)

[https://ssisteel-](https://ssisteel-my.sharepoint.com/:f:/g/personal/document_controller_southteesdc_com/ElgRtDIND5Giu7ObJR07fgBAHvqqnMG)

[my.sharepoint.com/:f:/g/personal/document_controller_southteesdc_com/ElgRtDIND5Giu7ObJR07fgBAHvqqnMG](https://ssisteel-my.sharepoint.com/:f:/g/personal/document_controller_southteesdc_com/ElgRtDIND5Giu7ObJR07fgBAHvqqnMG)
[3roJ5Y4Fcj-BbA?e=252HCP](https://ssisteel-my.sharepoint.com/:f:/g/personal/document_controller_southteesdc_com/ElgRtDIND5Giu7ObJR07fgBAHvqqnMG)

[https://ssisteel-](https://ssisteel-my.sharepoint.com/:f:/g/personal/document_controller_southteesdc_com/EiT0DrxrQVBnrGhlonkAPlcBXTqW1tuBF)

[my.sharepoint.com/:f:/g/personal/document_controller_southteesdc_com/EiT0DrxrQVBnrGhlonkAPlcBXTqW1tuBF](https://ssisteel-my.sharepoint.com/:f:/g/personal/document_controller_southteesdc_com/EiT0DrxrQVBnrGhlonkAPlcBXTqW1tuBF)
[AFYlr70bvGd0g?e=go8QyD](https://ssisteel-my.sharepoint.com/:f:/g/personal/document_controller_southteesdc_com/EiT0DrxrQVBnrGhlonkAPlcBXTqW1tuBF)

[https://ssisteel-my.sharepoint.com/:f:/g/personal/document_controller_southteesdc_com/Epvob5eU-](https://ssisteel-my.sharepoint.com/:f:/g/personal/document_controller_southteesdc_com/Epvob5eU-8NPnpCsZqYdHE8B3hrebNWW6BjVV7gtvfbHzQ?e=fpTNQp)

[8NPnpCsZqYdHE8B3hrebNWW6BjVV7gtvfbHzQ?e=fpTNQp](https://ssisteel-my.sharepoint.com/:f:/g/personal/document_controller_southteesdc_com/Epvob5eU-8NPnpCsZqYdHE8B3hrebNWW6BjVV7gtvfbHzQ?e=fpTNQp)

[https://ssisteel-](https://ssisteel-my.sharepoint.com/:f:/g/personal/document_controller_southteesdc_com/Ega1gpmhVxVFoPpr0Tm9nUIBapcX_Cfp)

[my.sharepoint.com/:f:/g/personal/document_controller_southteesdc_com/Ega1gpmhVxVFoPpr0Tm9nUIBapcX_Cfp](https://ssisteel-my.sharepoint.com/:f:/g/personal/document_controller_southteesdc_com/Ega1gpmhVxVFoPpr0Tm9nUIBapcX_Cfp)
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[my.sharepoint.com/:f:/g/personal/document_controller_southteesdc_com/EjacZSVHjgdFumovrku6besBMcOh-](https://ssisteel-my.sharepoint.com/:f:/g/personal/document_controller_southteesdc_com/EjacZSVHjgdFumovrku6besBMcOh-Lvbov1KRNMKYziwYg?e=w75VWN)
[Lvbov1KRNMKYziwYg?e=w75VWN](https://ssisteel-my.sharepoint.com/:f:/g/personal/document_controller_southteesdc_com/EjacZSVHjgdFumovrku6besBMcOh-Lvbov1KRNMKYziwYg?e=w75VWN)

[https://ssisteel-](https://ssisteel-my.sharepoint.com/:b:/g/personal/document_controller_southteesdc_com/ETTT_iKBel9IvspkwtMTb9QBDGLigcE8)

[my.sharepoint.com/:b:/g/personal/document_controller_southteesdc_com/ETTT_iKBel9IvspkwtMTb9QBDGLigcE8](https://ssisteel-my.sharepoint.com/:b:/g/personal/document_controller_southteesdc_com/ETTT_iKBel9IvspkwtMTb9QBDGLigcE8)
[MmGDWpwt_Bgp-A?e=LeCKKe](https://ssisteel-my.sharepoint.com/:b:/g/personal/document_controller_southteesdc_com/ETTT_iKBel9IvspkwtMTb9QBDGLigcE8)

[https://ssisteel-](https://ssisteel-my.sharepoint.com/:b:/g/personal/document_controller_southteesdc_com/EUUoFpFCJ7tInkL6MTztct8BQx_ebpbs)

[my.sharepoint.com/:b:/g/personal/document_controller_southteesdc_com/EUUoFpFCJ7tInkL6MTztct8BQx_ebpbs](https://ssisteel-my.sharepoint.com/:b:/g/personal/document_controller_southteesdc_com/EUUoFpFCJ7tInkL6MTztct8BQx_ebpbs)
[wNHG2rsbV8NLMA?e=qC0gqK](https://ssisteel-my.sharepoint.com/:b:/g/personal/document_controller_southteesdc_com/EUUoFpFCJ7tInkL6MTztct8BQx_ebpbs)

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[my.sharepoint.com/:b:/g/personal/document_controller_southteesdc_com/EdUCZJvnHQIBh62PmyH2hfMBYbyhJA_](https://ssisteel-my.sharepoint.com/:b:/g/personal/document_controller_southteesdc_com/EdUCZJvnHQIBh62PmyH2hfMBYbyhJA_)
[0sRZa45NxHgV_k_A?e=gYTYfH](https://ssisteel-my.sharepoint.com/:b:/g/personal/document_controller_southteesdc_com/EdUCZJvnHQIBh62PmyH2hfMBYbyhJA_)

[https://ssisteel-](https://ssisteel-my.sharepoint.com/:b:/g/personal/document_controller_southteesdc_com/EU64jq9kZAlDs3A7qfBRIQ0BeYcGUeyit)

[my.sharepoint.com/:b:/g/personal/document_controller_southteesdc_com/EU64jq9kZAlDs3A7qfBRIQ0BeYcGUeyit](https://ssisteel-my.sharepoint.com/:b:/g/personal/document_controller_southteesdc_com/EU64jq9kZAlDs3A7qfBRIQ0BeYcGUeyit)
[Fi3VytrRTmOwQ?e=rwthPS](https://ssisteel-my.sharepoint.com/:b:/g/personal/document_controller_southteesdc_com/EU64jq9kZAlDs3A7qfBRIQ0BeYcGUeyit)

NOTE:

The list below is from Ian Wharton during the visit with my replies in Red.

1; Full site plan, ideally in AutoCAD format which allows us to drill down to individual structures/MPI's.

Does not belong to SSI and no access to AutoCad version.

2; Individual site plans of respective plant areas/structures; including where applicable discrete floor plans.

Unable to release

3; Structural/General Arrangement/Elevation drawings of individual buildings/structures. (Karl, the folders you showed yesterday would be good start)

Unable to release

4; Karl?; Any Hazardous Construction/Insulation Materials Surveys completed post Administration; Asbestos 'Management' or Refurbishment/Demolition Surveys.

Uploaded to One Drive

5; Any Hazardous Construction/Insulation Materials Surveys existing pre Administration; Asbestos 'Management' (Type 2) or Refurbishment/Demolition (Type 3) Surveys.

Uploaded to One Drive – Significant amounts of data.

6; Karl?; Site Investigation/Ground contamination Surveys completed post Administration.

Uploaded to One Drive – Commissioned by STDC

7; Any Site Investigation Survey/Monitoring Surveys existing pre Administration.

Belongs to Official Receiver.

8; General Arrangement drawings of PCI Plant structure; Hoppers, Coal Mill; including individual GA's of Coal Mill.

Unable to release

9; General Arrangement drawings of Blast Furnace.

Unable to release

10; Simple Process Description/PFD's of individual plant areas; example; Coke Ovens By Products Plant.

Presentations available in One Drive for all the main plant areas. All other information is administered by the Official Receiver.

11; Asset Register; Equipment List by individual Plant Area.

Property of the Official Receiver

12; Karl?; any other surveys completed post Administration which identifies potential liabilities/values of site/individual areas.

Property of the Official Receiver

Karl Dickinson
General Manager
South Tees Site Company Ltd.
07730 695 975
01642 40 8616

John McNicholas

From: Karl Dickinson
Sent: 14 March 2019 09:06
To: Mark Taylor
Cc: peter.roberts@dwdllp.com; PeterR@ssi-steel.com; simonmh@hotmail.co.uk; Ian Wharton; Andy Teague; John McNicholas
Subject: RE: Em012219; ESL640 SSI Teesside Documentation

Hi Mark,

I have consulted with my STDC colleagues concerning your question and can offer the following response.
Regards,
Karl

"The ground investigations undertaken on site to date could only address accessible areas – i.e., areas not occupied by or in very close proximity to buildings and plant – hence why there is no information directly related to ground conditions beneath the coke ovens complexes. However, based on use typology and age, especially by-products storage and management, and particularly at South Bank (because of age/history of coke making), it is anticipated that ground conditions in these areas will be more onerous from a contamination and remediation intervention perspective".

Karl Dickinson
General Manager
South Tees Site Company Ltd.
07730 695 975
01642 40 8616

From: Mark Taylor <Mark.Taylor@rvagroup.org>
Sent: 12 March 2019 15:11
To: Karl Dickinson <karl.dickinson@stscld.co.uk>
Cc: peter.roberts@dwdllp.com; PeterR@ssi-steel.com; simonmh@hotmail.co.uk; Ian Wharton <Ian.Wharton@rvagroup.org>
Subject: RE: Em012219; ESL640 SSI Teesside Documentation

Karl

Looking through the Ground Investigation information you have supplied. There is nothing on the area of the South Bank Coke Ovens. Do you have any site investigation results for this area?

Mark Taylor
RVA Group
m +44 7711 246186
im Mark.Taylor@rvagroup.org
t +44 208 387 1323 (Head Office)
f +44 208 387 1328
w www.rvagroup.org

From: Karl Dickinson <karl.dickinson@stscld.co.uk>
Sent: 21 February 2019 15:00
To: Ian Wharton <Ian.Wharton@rvagroup.org>
Cc: Mark Taylor <Mark.Taylor@rvagroup.org>; Peter Roberts DWD <peter.roberts@dwdllp.com>; Richard Greeves

DWD <richard.greeves@dwdllp.com>; Peter Rowson SSI <PeterR@ssi-steel.com>; Simon Melhuish-Hancock SSI <simonmh@hotmail.co.uk>; Paul Smith <Paul.Smith@cerberus-group.com>; Sarah Unsworth <Sarah.Unsworth@southteesdc.com>; John McNicholas <John.McNicholas@southteesdc.com>; Andy Teague <andy.teague@stscld.co.uk>

Subject: RE: Em012219; ESL640 SSI Teesside Documentation

Ian,

Following discussions at this end I can now advise that we are able to release the work associated with the CH2M Site Remediation Cost estimates. There are 3 files within the sub folder below which is titled, "Site Remediation Cost Estimates", within the One Drive folder.

I should point out that this information had already been issued to Duff & Phelps / Mishcon de Reya in October 2018 when the valuation was going to be a desktop exercise before the recent site visit was discussed.

Sarah, can you ensure that the current group which has access to the recent folders created in the DC Once Drive Account, also have access to the folder I have just created.

Kind regards,
Karl

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Karl Dickinson
General Manager
South Tees Site Company Ltd.
07730 695 975
01642 40 8616

From: Ian Wharton <ian.Wharton@rvagroup.org>

Sent: 13 February 2019 14:06

To: Karl Dickinson <karl.dickinson@stscld.co.uk>

Cc: Mark Taylor <mark.taylor@rvagroup.org>; Peter Roberts DWD <peter.roberts@dwdllp.com>; Richard Greeves DWD <richard.greeves@dwdllp.com>; Peter Rowson SSI <PeterR@ssi-steel.com>; Simon Melhuish-Hancock SSI <simonmh@hotmail.co.uk>; Paul Smith <Paul.Smith@cerberus-group.com>

Subject: RE: Em012219; ESL640 SSI Teesside Documentation

Hello Karl;
Thanks for sorting the IT problems this morning.
Another documentation request;

1; CH2M Report; 'Site Remediation Cost Estimate.'

Also; see attached spreadsheet which lists all our documentation requests. Would it be possible please to update it with your current thinking of what else we can expect to receive, and when; and indeed any that you are aware are not intending to release/outside of our jurisdiction.

Just trying to understand what is anticipated so can plan our work; various milestones looming!
Any queries please get in touch.
Thanks; Ian.

Ian Wharton
RVA Group
Kinetic Business Centre
Borehamwood
United Kingdom
WD6 4PJ

t +44 208 387 1323
m +44 7702 084203
im Ian.Wharton@rvagroup.org
t +44 208 387 1323 (Head Office)
f +44 208 387 1328
w www.rvagroup.org



This mail is subject to our disclaimer which may be viewed with our corporate registration information by clicking on **Disclaimer**

From: Ian Wharton
Sent: 23 January 2019 06:39
To: Paul Smith Cerberus <paul.smith@cerberus-group.com>; Karl Dickinson STSC <karl.dickinson@stsc ltd.co.uk>
Cc: Mark Taylor RVA <mark.taylor@rvagroup.org>; Peter Roberts DWD <peter.roberts@dwdllp.com>; Richard Greeves DWD <richard.greeves@dwdllp.com>; Peter Rowson SSI <PeterR@ssi-steel.com>; Simon Melhuish-Hancock SSI <simonmh@hotmail.co.uk>
Subject: RE: Em012219; ESL640 SSI Teesside Documentation

Hello Karl/Paul;
Thanks for help yesterday, much appreciated.
As discussed couple of additional documentation requests;

1; Would like to have a specific site plan which shows the railway lines and ownership of such; which sections are SSI please.
2; General Arrangement drawings of BOS Plant Furnace.
Any queries please get in touch.
Thanks; Ian.

From: Ian Wharton
Sent: 22 January 2019 05:35
To: Paul Smith Cerberus <paul.smith@cerberus-group.com>; Karl Dickinson STSC <karl.dickinson@stsc ltd.co.uk>
Cc: Mark Taylor RVA <mark.taylor@rvagroup.org>; Peter Roberts DWD <peter.roberts@dwdllp.com>; Richard Greeves DWD <richard.greeves@dwdllp.com>; Peter Rowson SSI <PeterR@ssi-steel.com>; Simon Melhuish-Hancock SSI <simonmh@hotmail.co.uk>
Subject: Em012219; ESL640 SSI Teesside Documentation

Hello Karl/Paul;
Good to meet you yesterday, thank you for your/your teams help.
As discussed see below for initial thoughts re RVA/DWD drawing/documentation requests; have sent it as a joint email since not sure which items will fall 'pre,' or 'post' Administration, and hence if STSC can supply now, or if needs input from OR. Anticipated this list will be updated as we understand the site in more detail.
Ideally these should be provided in an electronic format, and uploaded to a VDR/Portal.
As soon as possible please recognising the timeline we are working to, scheduled late February meeting.
Hope this all makes sense; am with you again this morning, can check you have received this email ok, and any initial queries you may have.

Thanks; Ian.

- 1; Full site plan, ideally in AutoCAD format which allows us to drill down to individual structures/MPI's.
- 2; Individual site plans of respective plant areas/structures; including where applicable discrete floor plans.
- 3; Structural/General Arrangement/Elevation drawings of individual buildings/structures. (Karl, the folders you showed yesterday would be good start)
- 4; Karl?; Any Hazardous Construction/Insulation Materials Surveys completed post Administration; Asbestos 'Management' or Refurbishment/Demolition Surveys.
- 5; Any Hazardous Construction/Insulation Materials Surveys existing pre Administration; Asbestos 'Management' (Type 2) or Refurbishment/Demolition (Type 3) Surveys.
- 6; Karl?; Site Investigation/Ground contamination Surveys completed post Administration.
- 7; Any Site Investigation Survey/Monitoring Surveys existing pre Administration.
- 8; General Arrangement drawings of PCI Plant structure; Hoppers, Coal Mill; including individual GA's of Coal Mill.
- 9; General Arrangement drawings of Blast Furnace.
- 10; Simple Process Description/PFD's of individual plant areas; example; Coke Ovens By Products Plant.
- 11; Asset Register; Equipment List by individual Plant Area.
- 12; Karl?; any other surveys completed post Administration which identifies potential liabilities/values of site/individual areas.

APPENDIX D

Our Ref: AMR/59146.1

Your Ref: 2649439/VJF01

Africa House
70 Kingsway
London WC2B 6AH
DX 37954 Kingsway

www.mishcon.com

Ms V Fowler
Partner
Gowling WLG
4 More London Riverside
London
SE1 2AU

22 August 2019

BY EMAIL (VICKY.FOWLER@GOWLINGWLG.COM)

Dear Vicky

**South Tees Development Corporation (Land at Former Redcar Steelworks)
Compulsory Purchase Order 2019 (the "Order")
Former land interests of Sahaviriya Steel Industries UK Limited (the "Interests")**

Thank you for your letter of 16 August 2019, the content of which is acknowledged, but for clarity, is not accepted.

We acknowledge your client's "formal offer" to acquire (unspecified) Interests subject to the Order for £14.6 million, as set out in the Avison Young report enclosed with your letter. Whilst not specified in the correspondence, we take that sum to be proposed in exchange for acquisition by your client of *all* of the Interests subject to the Order. We note that the offer letter dated 16 August 2019 is the first occasion on which your client has made such an offer, more than four months after making the Order.

In order to respond to your client's offer, it will be necessary that our clients to review the following additional background information referred to in the Avison Young document:

A. Documents referred to in the body of the Avison Young letter:

- 1) Copy of the Tata sale contract;
- 2) Copy of the updated Hilco review;
- 3) Explanation as to why Avison Young has assumed a single purchaser;
- 4) Details of the "strip out" carried out by the Official Receiver;
- 5) Full annual breakdown of the "safeguarding" costs;
- 6) Full details as to the central and local government funding of the "safeguarding", remediation and development costs;
- 7) Copies of all land "clean up/remediation" studies and cost estimates informing the Avison Young report;

B. Documents referred to in Appendix I of the Avison Young letter:

55421604.4

Switchboard: +44 (0)20 3321 7000

Main Fax: +44 (0)20 7404 5982

London: Mishcon de Reya LLP

New York: Mishcon de Reya New York LLP

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- 1) Paragraph 1.2 – copy of the volumetric survey;
- 2) Paragraph 1.3 – copy of the appeal decision in respect of the Corus and EA proceedings together with a copy of the 2008 Regulatory Position Statement;
- 3) Paragraph 1.4 – copy of the landfill permit;
- 4) Paragraph 1.5 – copy of the 2010 and 2014 proposals;
- 5) Paragraph 1.6 – copy of the Compliance Assessment Reports and evidence that use of High Tip is prohibited;
- 6) Paragraph 1.7 – copies of the analysis undertaken as referred to by Avison Young;
- 7) Paragraph 1.8 – copy of remedial work estimate;
- 8) Paragraph 1.10 – details as to the calculation of zero;
- 9) Paragraph 2.1 – copy of the EA permit;
- 10) Paragraph 2.2 – copies of the topographical survey and ground investigation together with the details as to how the estimate of BPS Oxide has been calculated;
- 11) Paragraph 2.4 – copy of the terms agreed between Roy Hatfield Ltd and the OR;
- 12) Paragraph 2.6 – full details as to the calculation of £130 per tonne and £130M cost.

Please note that I am away from and including 23 August, returning on 9 September. It is hoped in the interim that your client will be able to gather the information noted above and place you in funds to provide an undertaking as discussed in respect of the professional costs incurred by our clients. Absent any such undertaking, my clients are not prepared to incur any further costs on this matter. In that regard the current relevant charge-out rates are as follows (all excluding VAT):

DWD Property and Planning: £80 to £250 per hour

RVA Group : £925 to 1,160 per day or £114 to £138 per hour

Mishcon de Reya: £300 to £550 per hour

I look forward to hearing from you on my return. I would be helpful if you could please copy my colleague Martyn Hanmore (martyn.hanmore@mishcon.com, 020 3321 7293) on any correspondence before then.

Yours sincerely



Anita Rivera
Partner

Direct Tel: +44 (0)20 3321 7901
Direct Fax: +44 (0)20 3006 8956
Email: anita.rivera@mishcon.com

Your Reference



Our Reference
2649439/VJF01

Anita Rivera
Partner
Mischon de Reya
70 Kingsway
London
WC2B 6AH

Gowling WLG (UK) LLP
4 More London Riverside
London
SE1 2AU

DX 132076 London Bridge 4

By e-mail

28 August 2019

Dear Anita

**The South Tees Development Corporation (Land at the former Redcar Steelworks, Redcar)
Compulsory Purchase Order 2019 ("the CPO")
Former land interests of Sahaviriya Steel Industries UK Limited (In Liquidation)**

Thank you for your letter of 22 August.

For the avoidance of doubt, I confirm that the offer set out in my letter of 16 August is in respect of all of the interests held by your client in the land subject to the CPO.

Whilst the offer in my letter is the first formal offer made to your client since the making of the CPO, it is not, as you are aware, the first offer made by my client to acquire your client's land interests. Rather, there has been ongoing dialogue for over two years with previous offers having been made and, at one point, an agreement in principle being reached subject to your client taking valuation advice.

I am taking instructions on the background information you have requested and will respond in due course. I understand that my client has previously provided extensive information to your client in order to facilitate an agreement between them so it may be that some of this information has already been provided. It would be helpful if your client could reciprocate by sharing the outcome of its site investigations undertaken in January 2019.

In the meantime, in the interests of moving discussions forward, I suggest that my client's valuer, Mike King of Avison Young, contact your client's valuer direct to arrange a convenient time to meet to discuss the basis on which our client's offer has been put forward.

Finally, I note your request for an undertaking. Please can you confirm that the undertaking is requested only in respect of the professional costs to be incurred by your client in considering our client's formal offer? In addition, I am not able to provide an open ended undertaking so should be grateful for your confirmation of the level of undertaking you are seeking.

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Legal02#79909350v1[TAW1]

I look forward to hearing from you.

Yours sincerely

Handwritten signature of Vicky Fowler in black ink, consisting of a stylized 'V' and 'F'.

Vicky Fowler

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Your Reference



Our Reference
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By e-mail

20 September 2019

Dear Anita

**The South Tees Development Corporation (Land at the former Redcar Steelworks, Redcar)
Compulsory Purchase Order 2019 ("the CPO")
Former land interests of Sahaviriya Steel Industries UK Limited (In Liquidation)**

I write further to our letter of 28th August.

I have taken instructions on the background information you have requested. As previously noted we have already provided extensive information to your client in order to facilitate an agreement and as expected some of the information has already been provided, whilst a number of the items correspond to information held by the Official Receiver which my client is not privy to.

Responding to the numbered items in your letter, I confirm as follows:

A. Documents referred to in the body of the Avison Young Letter:

- 1) We have supplied details of the consideration for the Tata Steel Land. If there is other information that you require or questions that you have in relation to the transaction we will do our best to answer these.
- 2) My client can provide the Hilco Review.
- 3) No reference is made by Avison Young to a single or several purchasers. The offer is assessed in accordance with Rule 2 "open market value", and hence what the market would support in terms of a value for the SSI Order lands interests at the specific valuation date. This can be discussed further when our respective valuers meet.
- 4) Details of the "strip out" carried out by the Official Receiver – my client is not directly party to this information and, indeed, the Official Receiver is not obliged to notify my client. My client has anecdotal information that could be set down if necessary. We know for example that the Official Receiver has recently instructed on the removal of the Bloom Caster machinery from the Lackenby Steelmaking facilities.

5) My client has access to the full annual breakdown of the "Safeguarding" costs but BEIS would need to approve the release of this information before my client is able to do so. We have provided the overall figure of c £16.5m per annum.

6) We do not see reference to funding arrangements in Avison Young's letter nor how this is relevant to a Rule 2 valuation in the no scheme world.

7) My client has previously provided the "Clean-up/remediation" studies requested. These were provided to your client's professional advisors following their Due Diligence visit in late January 2019.

B. Documents referred to in Appendix 1:

1) Para 1.2: Volumetric survey. I confirm that this can be provided.

2) Para 1.3: Appeal decision Corus/EA – my client does not have access to this and is unlikely to be able to secure it due to it being historic.

3) Para 1.4: Landfill permit – my client can provide this.

4) Para 1.5: 2010 and 2014 proposals – my client should be able to provide the 2014 (SSI) proposals.

5) Para 1.6: Compliance Assessment Reports – This is information held by the Official Receiver and so my client will not be able to provide these.

6) Para 1.7: Analysis referred to by AY (at 1.7) – my client can provide this.

7) Para 1.8: Remedial work estimate – my client can provide this.

8) Para 1.10: Details as to the calculation of zero – this is part of 7).

9) Para 2.1: EA permit – This is information held by the Official Receiver and so my client will not be able to provide these.

10) Para 2.2: Topographical survey/GI/cost estimate ref BOS Oxide – my client can provide this.

11) Para 2.4: Roy Hatfield/Official Receiver terms of agreement – my client is not party to this agreement and the Official Receiver has previously declined to provide any information on the nature of the transaction. My client has anecdotal information on the nominal revenue stream for the Official Receiver.

12) Para 2.6: Calculations on £130/tonne – my client can provide this.

My client is in the process of assembling the documents it is able to provide and will arrange for these to be provided by a "We Transfer" file shortly. Are you able to reciprocate by sharing the outcome of your site investigations undertaken in January 2019?

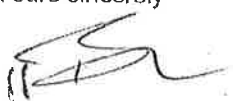
As per my letter of 28 August, in the interests of moving discussions forward, I do suggest that my client's valuer, Mike King of Avison Young, contact your client's valuer direct to arrange a convenient time to meet to discuss the basis on which our client's offer has been put forward. Mike King is back from leave next week and I will ask that this is done.

LETTER TO
Anita Rivera

SHEET NO
3

DATE
20 September 2019

Yours sincerely

A handwritten signature in black ink, appearing to be 'Vicky Fowler', written over a horizontal line.

Vicky Fowler

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Mishcon de Reya

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3 October 2019

BY EMAIL

Dear Ms Fowler

**The South Tees Development Corporation (Land at former Redcar Steelworks,
Redcar) Compulsory Purchase Order 2019**

Former land interests of Sahaviriya Steel Industries UK Limited (in Liquidation)

Thank you for your letters of 28 August and 20 September 2019.

You will appreciate this is a complex matter and our clients' valuers require all of the documents referred to by Avison Young in order to properly assess the level of compensation arrived at.

Our clients remain committed to progressing this matter as quickly as possible but without the underlying information used to arrive at your client's valuation they are not in a position to do so.

It has been some time since your most recent correspondence and we are yet to receive the documents referred to. As such, please would you arrange for these to be sent to me as a matter of urgency?

Disclosure of documents

In response to matters set out in your letter of 20 September 2019 and by reference to the numbering used in your letter:

A. Documents referred to in the body of the Avison Young Letter:

- 1) The information supplied to date regarding the consideration paid for the Tata Steel Land is insufficient for us to be able to properly ascertain the terms of the sale.

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Please provide a full and un-redacted copy of the contract for sale of the Tata Steel Land.

- 2) Please confirm when these documents will be provided.
- 3) Neither the method of valuation nor the quantum set out in Avison Young's letter are agreed. However, we agree this is best discussed further between our respective valuers when they meet.
- 4) While we note you state that your client is not "directly" party to information, and that the Official Receiver is not obliged to notify your client of works to remove fixed assets it is both strongly implied in your letter and reasonable to expect that your client does indeed have a level of understanding as to how the site is being managed. Accordingly please provide all information held by your client (including the anecdotal information to which you refer) relating to all strip-out and any other works that have occurred or that are taking place at the site.
- 5) Has the information been provided to your client subject to an express duty of confidence? If not please explain your client's resistance to transparent and open discussions. If the material is subject to express confidentiality restrictions please confirm the terms of those restrictions (which plainly allow reference to its existence at least) and seek BEIS approval for the full release of this information, and confirm when these documents will be provided.
- 6) Noted. This is best discussed further between our respective valuers.
- 7) Please also provide copies of these documents to us for completeness.

B. Documents referred to in Appendix I

- 1) Please confirm when these documents will be provided.
- 2) Paragraph 1.3 appears to have been drafted by your client. It is assumed that your client has at least some foundation for the facts it purports to state? Please provide all relevant supporting documentation.
- 3) Please confirm when this will be provided.
- 4) Please confirm when the 2014 proposals will be provided. Please make further enquiries as to the availability of the 2010 proposals.
- 5) Noted, however (and with all due respect) that simply is not plausible. Your client purports to be in a position to state the contents of these reports. How is that possible without access to them? Please confirm what information your client holds, and what (if any) confidentiality restrictions that information it is subject to.

- 6) Please confirm when these documents will be provided.
- 7) Please confirm when these documents will be provided.
- 8) Noted.
- 9) Noted, but again please explain your client's reference to and reliance upon material it now purports not to have?
- 10) Please confirm when these documents will be provided.
- 11) Please provide the anecdotal information referred to – we note that paragraph 2.4 expresses a fairly detailed level of familiarity with the underlying arrangements.
- 12) Please confirm when these documents will be provided.

Undertaking for fees

I confirm that the undertaking to be provided by Gowling will only be in respect of costs incurred by my client associated with compensation matters. At present I estimate the costs associated will be £95,000. I would therefore be grateful if you give an undertaking for £95,000 in respect of our clients' costs in order for us to be able to progress this matter.

Absent any such undertaking, my clients are not prepared to incur any further costs.

Valuers meeting

Once we have received the documents and your undertaking as set out above our clients will instruct their valuers to arrange a time to meet with Avison Young as suggested.

Site visit

Please would you confirm access to the site can be secured for a potential site visit on 16 October. This date is subject to our client team's availability and it may well be that a further site visits will be required later in the year.

Following our conversation and the fact we are moving towards a likely Inquiry date within the next 2 to 3 months your swift response would be appreciated.

Yours sincerely



Anita Rivera
Partner

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By e-mail

4 October 2019

Dear Anita

**The South Tees Development Corporation (Land at the former Redcar Steelworks, Redcar)
Compulsory Purchase Order 2019 ("the CPO")
Former land interests of Sahaviriya Steel Industries UK Limited (In Liquidation)**

Thank you for your letter of yesterday. Enclosed with this letter is a We Transfer File containing the documents which we are able to provide as per our letter of 20th September, namely:

- A2) Hilco Review;
- B1) Para 1.2: Volumetric Survey High Tip;
- B3) Para 1.4: Landfill Permit for High Tip;
- B4) Para 1.5: 2014 SSI Proposals on High Tip remedial works;
- B6) Para 1.7: Volume analysis for High Tip (2 documents in total);
- B7) Para 1.8: Remedial works estimate for High Tip;
- B8) Para 1.10: Details of (near) zero calculation on High Tip (costs vs savings from any proposed re-use of the facility);
- B10) Para 2.2: SLEMS - Topographical survey, GI information (matters all addressed via the Arcadis 2018 report), and cost estimate (2 documents in total);
- B12) Para 2.6: SLEMS - Calculations on estimated disposal rate of £130/tonne (these are embedded in the cost estimate provided at B10).

In terms of your other information requests I comment as follows:

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A1) We are considering your request further and will revert shortly.

A4) My client is unable to secure documented information on the OR's activities concerning the removal of floating assets. STSC is the organisation closer to the matter but that said the OR does not engage with STSC when involved in asset removal, other than complying with a duty to notify of attendance on site – asset removal is all arranged and handled by the OR through his appointed agent, Cerberus. STSC, nor STDC, receive any records of assets removed. We are not, therefore, in a position to provide any documentary evidence.

A5) My client is not in possession of the full annual breakdown of the "Safeguarding" costs funded by BEIS to South Tees Site Company Ltd. Were it in possession then STSC and BEIS have confirmed that we would not be permitted to disclose this information.

A7) As we have previously noted the clean-up/remediation studies have previously been provided and will not be provided again. You need to seek copies from your client.

B2) My client cannot trace the Corus/EA appeal decision from the early 2000s relating to High Tip, but this is largely superfluous, as since that time, there have been two restoration plans produced – the 2010 version by Tata and the 2014 version by SSI, which supersedes the Tata 2010 version.

B4) My client cannot trace the 2010 Tata restoration plan but has made a request of Tata and await their response – As stated above in relation to B2), the 2010 plan has been superseded by the 2014 plan.

B6) To restate, my client has no access to any Compliance Assessment Reports relating to the ORs ongoing dealings with the EA regarding High Tip. It is not my client's asset.

B11) The arrangements between Roy Hatfield and the OR regarding the SLEMS is a matter that my client is not party to. This is not my client's asset and they have no access to such information.

I repeat my request of yesterday that, once you have had an opportunity to digest the further information supplied, that the valuers meet. Avison Young made a request for that meeting by e-mail on 25th September, and had no response. This was followed up with a call and Avison Young were advised that their instruction from you is not to engage.

We see no reason why such a meeting should not proceed without delay. Your clients' valuer has had access to the site and was part of the due diligence team which visited the site earlier in the year where full access to the environmental/remediation information was provided "to inform value". Your clients' valuer must have formed their own view on valuation. If there are further questions on what has been provided or on the information which is anecdotal then this can be addressed at the meeting. John McNicholas, Engineering and Programme Director at South Tees Development Corporation can make himself available for that purpose.

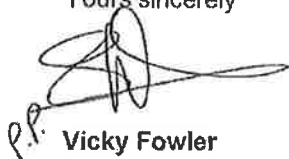
My client has made a further offer to your clients which I appreciate your clients are considering. As noted previously this is not, however, the first offer made by my client to acquire your clients' land interests. Rather, there has been ongoing dialogue for over two years with previous offers having been made and, at one point, an agreement in principle being reached subject to your clients taking valuation advice. If the current offer is not acceptable we would expect to understand why and your clients' own valuation. It would be helpful if you could reciprocate with your clients own valuation.

In relation to your request for an undertaking, undertakings are normally provided when we are working towards a compromise or settlement agreement. Professional costs otherwise form part of any compensation claim and settlement of that claim. We are not yet in the realms of working towards a compromise or settlement agreement and an undertaking for costs is not, therefore, appropriate at this stage.

I have of course previously floated the idea of a Lands Tribunal contract and I note that we have not discussed that further. I would welcome a response on that suggestion.

In relation to the site visit on 16th October I confirm that this can be accommodated. Perhaps you could firm up on that date so my client can make arrangements for the Site Company to escort you around the Site.

Yours sincerely

A handwritten signature in black ink, appearing to be 'Vicky Fowler', with a long horizontal flourish extending to the right.

Vicky Fowler

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By e-mail

16 October 2019

Dear Anita

**The South Tees Development Corporation (Land at the former Redcar Steelworks, Redcar)
Compulsory Purchase Order 2019 ("the CPO")
Former land interests of Sahaviriya Steel Industries UK Limited (In Liquidation)**

Thank you for your letter of 7th October 2019. My client remains very much committed to reaching an agreement with your clients and continuing in a constructive dialogue.

In order to enable your clients to engage in a constructive dialogue my client has instructed me to provide an undertaking to meet your client's reasonable and proportionate professional costs incurred from the date of this letter solely in connection with the evaluation of my client's offer Provided That:

1. a meeting between our clients' respective valuers takes place within 4 weeks of the date of this letter, with the firm intention of the valuers to enter into a progressive engagement and exchange/discussion on valuation and "code" opinion and related considerations, with a view to reaching an agreement if at all possible;
2. Costs are capped at £95,000 including any VAT and disbursements claimed;
3. The professional fees claimed and the hourly rates relate to those set out in your letter of 22 August 2019;
4. Payment under the undertaking will only be made following receipt of an invoice for the relevant professional fees claimed and accompanied by a full breakdown and narrative supporting the fee. Such invoices shall only be issued on final agreement for a transfer of the land interests of Sahaviriya Steel Industries UK Limited included in the CPO to our client save that if such an agreement does not proceed the written demand for payment may be issued on termination of the negotiations.

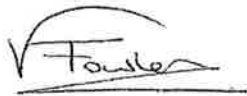
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Legal02#80620070v1[VJF01]

Yours sincerely

A handwritten signature in black ink, appearing to read 'V Fowler', with a horizontal line drawn underneath.

Vicky Fowler
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Mishcon de Reya

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18 October 2019

BY EMAIL ONLY (VICKY.FOWLER@GOWLINGWLG.COM)

Dear Vicky

The South Tees Development Corporation (Land at Former Redcar Steel Works, Redcar) Compulsory Purchase Order 2109 Former land interests of Sahaviriya Steel Industries UK Limited (In liquidation)

Thank you for your letter and conditional undertaking of 16 October 2019.

The commitment of your client to engage in a constructive dialogue is appreciated however the terms of the undertaking is unfortunately not. Dealing with each point as set out in your letter:

1. Peter Roberts of DWD LLP acting on behalf of my client is available to meet with Michael King of Avison Young the week commencing 11 November and preferably on Friday, 15 November in London. It is agreed that the intention of the meeting would be to discuss valuation issues, seek to agree the methodology to be applied and to discuss and, where possible, agree related considerations. For the avoidance of doubt however, absent a significant amount of previously requested information DWD is not yet in a position to complete its CPO valuation. I will write again separately with a summary of the further information requested and or required to enable DWD to undertake a meaningful valuation exercise.
2. Noted.
3. Noted.
4. An undertaking which seeks to dictate the terms upon which my client's consultant team will issue their invoices and be paid is unacceptable. My client's professional team expect that when they do the work, they will be paid for the work done.

56312824.2

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If you are able to reconsider the terms of your undertaking then I consider we can move forward constructively.

I look forward to hearing from you.

Yours sincerely


Anita Rivera
Partner

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Mishcon de Reya

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25 October 2019

BY EMAIL (VICKY.FOWLER@GOWLINGWLG.COM)

Dear Vicky

**The South Tees Development Corporation (Land and Former Redcar
Steelworks, Redcar) Compulsory Purchase Order 2019
Former Land Interests of Sahaviriya Steel Industries UK (in liquidation)**

Thank you for your email of today's date, timed 10:46 am.

I confirm that my clients' consultant team is holding the date of 15 November for a meeting with Avison Young as requested, subject to receipt of an acceptable undertaking for costs.

Further to my letter of 18 October I reiterate that information necessary to allow my clients' consultant team to undertake a meaningful valuation exercise remains to be provided by your client. Attached is a schedule of the missing information previously requested and or required. Your client's very urgent attention to this is necessary if the proposed 15 November meeting is to have any chance of affording an opportunity for a two-way exchange.

Yours sincerely



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Partner

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DOCUMENTS REQUIRED FOR CPO COMPENSATION ASSESSMENT

**The South Tees Development Corporation (Land at Former Redcar Steel Works, Redcar)
Compulsory Purchase Order 2109 Former land interests of Sahaviriya Steel Industries UK Limited
(In liquidation)**

As of 25 October 2019

| | Information requested | COMMENTS |
|-----|---|---|
| 1. | CH2M Site Remediation Cost Estimate | Please confirm that no further studies and cost estimates have been commissioned other than as uploaded to the ssisteel.mysharepoint file on 27 February 2019 |
| 2. | Site Works Contracts | Please provide full details of all contracts in respect of, but not restricted to, investigations, remediation, demolition and other works carried out on the SSI land. |
| 3. | Site plan identifying railway lines previously used by SSI in conjunction with their occupation of the site; | Previously requested but nothing provided to date |
| 4. | Plan providing full details of specification and location of the Off Gas Header pipe | This will be fully known to STDC |
| 5. | Full breakdown of operating and maintenance costs of the Off Gas Header pipe | This will be fully known to STDC |
| 6. | General arrangement drawings of BOS Plant Furnace; | Previously requested but nothing provided to date |
| 7. | Full site plan, ideally in AutoCAD format which allows us to drill down to individual structures/MPI's; | Previously requested but nothing provided to date |
| 8. | Individual site plans of respective plant areas/structures; including where applicable discrete floor plans; | Previously requested but nothing provided to date |
| 9. | Scaled structural/General Arrangement/Elevation drawings of individual buildings/structures; | Previously requested but nothing provided to date |
| 10. | Hazardous Construction/Insulation Materials Surveys completed post Administration; Asbestos 'Management' or Refurbishment/Demolition Surveys; | Please confirm that the ssisteel.sharepoint file (last updated 27 February 2019) includes all records |
| 11. | Hazardous Construction/Insulation Materials Surveys existing pre | Previously requested but nothing provided to date |

| | | |
|-----|--|---|
| | Administration; Asbestos 'Management' (Type 2) or Refurbishment/Demolition (Type 3) Surveys; | |
| 12. | Site Investigation/ground contamination surveys completed post administration; | Please confirm that no further studies and cost estimates have been commissioned other than as uploaded to the ssisteel.mysharepoint file on 27 February 2019 |
| 13. | Site Investigation survey/monitoring surveys existing pre administration; | Previously requested but nothing provided to date |
| 14. | General arrangement drawings of PCI Plant structure; Hoppers, Coal Mill; including individual GA's of Coal Mill; | Previously requested but nothing provided to date |
| 15. | General Arrangement drawings of Blast Furnace; | Previously requested but nothing provided to date |
| 16. | Simple Process Description/PFD's of individual plant areas; example; Coke Ovens By Products Plant; | Please confirm that the ssisteel.sharepoint file (last updated 27 February 2019) includes all records |
| 17. | Asset Register; Equipment List by individual Plant Area; | Previously requested but nothing provided to date |
| 18. | Other surveys completed post administration which identifies potential liabilities/values of site/individual areas. | Please confirm the full extent of surveys undertaken and provide copies thereof |
| 19. | Copy of the Tata Sales Contract | This is required to enable a proper analysis of the terms to be undertaken |
| 20. | Details of the central and local government funding of "safeguarding" remediation and development costs | Previously requested but nothing provided to date |
| 21. | Copy of CL3/8 Landfill Sideslope Capping Specification report No 134r1vd0814 | Referred to in latest document release by STDC. We also need copies of any revisions. |
| 22. | Copy of the Volumetric survey High Tip | Please provide full disclosure of the investigations and date informing the Arcadis Validation Report 2018 Volumetric Survey. Please confirm whether any other studies have been carried out and provide full details |
| 23. | Copy of the 2010 proposals High Tip | Please provide an update in respect of the 2010 proposal discussions with TATA and provide full detail thereof |
| 24. | Copies of the topo and ground investigation together with details as to how the BPS Oxide volume has been calculated for SLEMS | STDC refer to the Arcadis Report but the one provided only relates to High Tip. Please provide a copy of the relevant Arcadis Report together with copies of all underlying data and surveys. |

Your Reference



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By e-mail

14 November 2019

Dear Anita

**The South Tees Development Corporation (Land at the former Redcar Steelworks, Redcar)
Compulsory Purchase Order 2019 ("the CPO")
Former land interests of Sahaviriya Steel Industries UK Limited (In Liquidation)**

I write further to our letter of 16th October 2019 and your letter of 18th October 2019 in relation to the terms of our undertaking and your letter of 25th October seeking further disclosure.

On the subject of the undertaking, to be clear point 4 of the undertaking was not to dictate when invoices were raised for payment by your clients but when we would expect a request to reimburse costs in line with the undertaking. As is usual my client would expect to settle your clients' costs as there is meaningful progression of negotiations or negotiations have broken down and hence the suggested triggers for submitting copy invoices for reimbursement. My client is, however, agreeable to remove the second sentence of point 4 to assist with moving matters forward. Moreover, staged invoices will provide visibility on the work that is actually being undertaken to evaluate my client's offer and to advance your clients' own valuation exercise.

In relation to the further information requested we will annotate your schedule with a detailed response and provide further information where we are able. We are surprised by the "previous requests" for historic information given the due diligence exercise undertaken in January 2019. Where the information requested in January related to historic drawings and similar technical information concerning existing facilities and the like – information under the Official Receiver's jurisdiction – this was (at the Official Receiver's request) hosted on a computer that the visiting consultant team could utilise for viewing purposes. The Official Receiver was not prepared to release hard copies but access was given to this information and therefore your clients' consultants have had this information. We are therefore surprised to receive these repeated requests some 9 months later. With a view to being constructive we have, however, approached the Official Receiver to establish again what information he is able to release in hard copy or whether these could be made available again for viewing. This is relevant to items 3, 6 to 9, 11, and 13 to 17.

I can confirm that no further studies or assessments have been undertaken in respect of remediation cost estimates since the 27 February 2019 upload, save that of the cost analysis subsequently undertaken in respect of High Tip and the SLEMS, full details of which have been provided (item 1, 12 and 18).

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The only site works contracts pertaining to the former SSI estate that STDC has commissioned (item 2) relate to ground investigations. Details have previously been provided through the provision of the related reports. However, a list of such reports will be supplied together with a list of all the information supplied to date.

My client is not familiar with the plant referred to in items 4 and 5 and perhaps this and the rationale for the disclosure request can be discussed at the valuers meeting on Friday.

On the Tata Sales Contract this includes a confidentiality clause and so we need the consent of Tata as to what can be released and this is being sought (item 19).

In relation to the Arcadis Report (items 22 and 24) Arcadis did not undertake the work on High Tip. Their work was in relation to SLEMS. Volumetric survey details have previously been provided and there are no further studies to disclose.

On item 23 STDC has requested the 2010 proposals from Tata and they have confirmed that they do not hold this information and therefore we are not able to provide these.

As noted above we will provide an annotation of your schedule but hopefully the above conveys that there is limited further information that my client will be able to provide.

Please may I also take this opportunity to remind you that the offer of the Lands Tribunal Contract remains and that we have not received a response to that offer

Yours sincerely

pp



Vicky Fowler

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Our Ref: 59146.1

Your Ref:

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**FOR THE ATTENTION OF THE DEMOCRATIC AFFAIRS
OFFICER**

South Tees Development Corporation
Teesside Management Offices,
Redcar,
TS10 5QW

21 November 2019

BY EMAIL (ENQUIRIES@SOUTHTEESDC.COM)

Dear Sir or Madam

**Proceedings of the South Tees Development Corporation
Access to Information**

The South Tees Development Corporation (the "**Corporation**") is subject to Part VA of the Local Government Act 1972 (the "**1972 Act**") by virtue of section 100J(1)(h). We have, however, been unable to locate any published record of its proceedings.

This letter is a request for copies of papers held and to be made available for inspection by the Corporation pursuant to statutory duties arising under the 1972 Act. Specifically, the request is made under section 100H(2)(b) of the 1972 Act to require that the person having custody of the documents identified shall provide photographic copies of the documents as listed below.

Either scanned electronic copies or paper copies would be acceptable.

We undertake to pay the reasonable fees for provision of such copies subject to such fees being notified to us in writing before they are incurred and in any event to an overall cap of £500.

Please therefore provide:

1. copies of all schedules of meeting dates and times published by the Corporation since its inception in accordance with its constitution (Appendix II, 'Procedure Rules', paragraph 4);
2. copies of every meeting agenda produced for and/or or considered at any meeting of the Corporation in the last six years, including in particular the agenda for the meeting held on 25 July 2018;
3. in respect of every meeting at which business connected with any of

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- (a) the need for, or preparation and/or making of the South Tees Development Corporation (Land at Former Redcar Steel Works, Redcar) Compulsory Purchase Order 2019 (the "**Order**"), or
- (b) the acquisition of land comprising the former SSI Steel Works site,
- (c) meetings or discussions with banks based in Thailand, or
- (d) works or actions or business of the South Tees Site Company Limited

was listed on the agenda, copies of:

- every report,
- every list of background papers, and
- every minute

connected with the relevant meeting including in particular unredacted copies of the agenda and reports to the meeting held on 25 July 2018.

- 4. in every case falling within item 3 above, confirmation of the date on which such agenda and connected reports were made available for inspection by the public in accordance with section 100B(3);
- 5. in every case falling within item 3 above where material was considered to be exempt from the requirements of section 100A or 100B, copies the relevant determination by the Proper Officer in respect of that material.
- 6. Compliance Assessment Reports referred to in paragraph 1.6 of the Corporation's advisory note entitled "South Tees Regeneration Programme High Tip and SLEMS Waste Management Facilities" and given reference JMcN (July 2019). V 2
- 7. the environmental permit referred to in paragraph 2.1 of of the Corporation's advisory note entitled "South Tees Regeneration Programme High Tip and SLEMS Waste Management Facilities" and given reference JMcN (July 2019). V 2

Insofar as it is not possible to provide the copies requested prior to close of business on 28 November 2019 we will inspect the register in person sometime between 2 and 6 December 2019. Please therefore confirm by immediate return the location at which these documents can be viewed and copied so that travel arrangements can be made.

You will note that the refusal or obstruction of this request is a criminal offence under section 100H(4) of the 1972 Act.

Yours faithfully

Mishcon de Reyna LLP

Mishcon de Reyna LLP

Direct Tel: +44 (0)20 3321 7901
Direct Fax: +44 (0)20 3006 8956
Email: anita.rivera@mishcon.com

cc: Vicky Fowler (Gowling WLG)
Andrew Nixon (Monitoring Officer of Tees Valley Combined Authority - in the
capacity of Proper Officer of the Corporation)

Your Reference
Anita Rivera, Partner



Our Reference
2649439/VJF01

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By e-mail

DX 132076 London Bridge 4

3 December 2019

Dear Sirs

**Proceedings of the South Tees Development Corporation
Access to Information**

We are instructed by South Tees Development Corporation in relation to the above and we write further to our letter of 28th November 2019.

The South Tees Development Corporation (STDC) is the first Mayoral Development Corporation (MDC) outside of London. It has been set up to promote the economic growth and commercial development of Tees Valley by converting assets in the South Tees area into opportunities for business investment and economic growth. The purpose of the STDC is to further the economic development of the area through physical regeneration, social regeneration and environmental regeneration so that it becomes a major contributor to the Tees Valley economy, bringing the SSI site, and other underutilised land in the area, back in to economic use. By attracting private sector investment the STDC will secure additional, high quality jobs for the people of Tees Valley and provide a safe environment for the workforce.

MDCs can draw on a wide range of powers, covering infrastructure, financial incentives, regeneration and land acquisition, devolving powers from central government to the local area. Unlike the other MDC's it does not have planning powers.

STDC was formed on 1 August 2017 and transacts its business through 4 Committees and the Board. The Committees comprise:

- Planning and Infrastructure
- Audit and Risk
- Business and Innovation
- People Search and Remuneration Committee.

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You have requested a list of meeting dates and the corresponding agendas for the Board and Committees. The agendas for the Board, Planning and Infrastructure, Audit and Risk, and Business Innovation are attached and these incorporate the meeting date and future meeting dates. The People, Search and Remuneration Committee is an internal committee solely focused on the staffing matters and includes personal information.

You will see that the agendas have not been compiled to indicate the items that contain exempt information and those that do not. The same is true of the minutes. STDC's papers and reports are clear on which matters are regarded as exempt. The Agendas have been redacted to remove information on the face of the agenda that is confidential and commercially sensitive, relating to the financial and business affairs of STDC and are exempt under paragraph 3 of Schedule of Part 1 of Schedule 12A of the Local Government Act 1972. Ordinarily, this would just be seen on the agenda as an exempt item.

Since STDC's remit is about securing business investment, the majority of matters brought to the Board and the Audit & Risk and Business and Innovation Committees are confidential and commercially sensitive, relating to the financial and business affairs of STDC and are exempt under paragraph 3 of Schedule of Part 1 of Schedule 12A of the Local Government Act 1972.

Please note that the fact that an item has not been redacted on the agenda does not mean that the underlying reports and minutes are not exempt.

The matters upon which you have expressed particular interest in seeing reports and minutes etc are:

- The need for, or preparation and/or making of the South Tees Development Corporation (land at the Former Redcar Steel Works, Redcar) Compulsory Purchase Order 2019 (the "Order") or
- The acquisition of land comprising the former SSI Steel Works Site;
- Meetings or discussions with banks based in Thailand; or
- Works or actions or business of the South Tees Site Company Limited.

In relation to your request in relation to the Order we are able to furnish the attached 3 reports. Other reports papers are exempt due to them being subject to legal privilege (setting out advice from Counsel or Gowling WLG) or containing information that is commercially sensitive pertaining to STDC's financial and business discussions with third parties.

The reports on the other matters listed bullet point 2 and 3 fall into the relating to the financial and business affairs of STDC and are exempt under paragraph 3 of Schedule of Part 1 of Schedule 12A of the Local Government Act 1972 and STDC is satisfied that the public interest in maintaining the exemption outweighs the public interest in disclosing the information. In relation to works or actions or business of the South Tees Site Company Limited (STSC). STDC does not discuss the works affairs of STSC are not discussed within STDCs meetings.

In terms of agenda and papers being available to the public. They have been available ahead of meetings on request. Your request is the first.

STDC is in the process of moving to the offices of the Tees Valley Combined Authority offices and will be structuring its future agendas so that it is clear on the face of the Agenda what is and not exempt and expects to make the information available on its website.

Yours faithfully

A handwritten signature in dark ink, appearing to read "Gowling WLG", with a horizontal line drawn underneath the signature.

Gowling WLG

cc. Andrew Nixon Monitoring Officer of Tees Valley Combined Authority –in the capacity of Proper Officer of the Corporation

From: Lucy Solomon
To: mobile.print@xentrall.org.uk
Subject: FW: STDC CPO - MdR Latest Schedule of Information Requests

From: Andrea Whittingham <Andrea.Whittingham@southteesdc.com>
Sent: 28 January 2020 13:45
To: Lucy Solomon <Lucy.Solomon@southteesdc.com>
Subject: FW: STDC CPO - MdR Latest Schedule of Information Requests

From: Vicky Fowler <Vicky.Fowler@gowlingwlg.com>
Sent: 04 December 2019 20:14
To: Anita Rivera <Anita.Rivera@Mishcon.com>
Cc: Tom Barton <Tom.Barton@Mishcon.com>; John McNicholas <John.McNicholas@southteesdc.com>; Jeanette Armin <Jeanette.Armin@southteesdc.com>; Toni Weston <Toni.Weston@gowlingwlg.com>
Subject: STDC CPO - MdR Latest Schedule of Information Requests

Dear Anita

I am now able to return the document schedule referred to in my letter of 14th November. I will forward separately the We Transfer file link which includes the following additional information:

- A list of ground investigation reports (item 2)
- Asbestos survey reports (item 10)
- The CLE3/8 Sideslope Capping Specification (item 21)

The WeTransfer link has the usual 7-day access period applicable.

Kind regards

Vicky Fowler
Partner

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Gowling WLG, Official Legal Advisers – Birmingham 2022 Commonwealth Games

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DOCUMENTS REQUIRED FOR CPO COMPENSATION ASSESSMENT

The South Tees Development Corporation (Land at Former Redcar Steel Works, Redcar) Compulsory Purchase Order 2109 Former land interests of Sahaviriya Steel Industries UK Limited (In Liquidation)

As of 25 October 2019

| | Information requested | COMMENTS | STDC Response |
|----|--|---|--|
| 1. | CH2M Site Remediation Cost Estimate | Please confirm that no further studies and cost estimates have been commissioned other than as uploaded to the ssisteel.mysharepoint file on 27 February 2019 | No further studies or assessments have been undertaken in respect of remediation and related cost estimates since the 27 February 2019 upload, save that of the cost analysis subsequently undertaken in respect of High Tip and the SLEMS, full details of which have previously been provided. |
| 2. | Site Works Contracts | Please provide full details of all contracts in respect of, but not restricted to, investigations, remediation, demolition and other works carried out on the SSI land. | The only site works contracts pertaining to the former SSI estate that STDC has commissioned relate to ground investigations. Details have previously been provided through the provision of the related reports. However, a list of the related contracts will be supplied. |
| 3. | Site plan identifying railway lines previously used by SSI in conjunction with their occupation of the site; | Previously requested but nothing provided to date | To the extent that it exists, this is pre-liquidation information that is in the domain of the Official Receiver. Where permissible, all such information was made available for viewing to the team that visited the site in January 2019. The Official Receiver was not |

| | Information requested | COMMENTS | STDC Response |
|----|--|----------------------------------|---|
| 4. | Plan providing full details of specification and location of the Off Gas Header pipe | This will be fully known to STDC | <p>prepared to authorise the release of any further information at that time, nor since.</p> <p>STDC is not familiar with this plant and equipment description. At the meeting with DWD on 15 November 2019, it was suggested by DWD that this request relates to the Coke Ovens Gas Main (COGM). If this is the case, STDC holds no related information. Where such information does exist, it will be for the Official Receiver to approve its provision. Regarding the COGM, it should be noted that this infrastructure is over 15 miles in length and we are advised by STSC that it contains extensive deposits of pyrophoric material; part of the existing CoMAH inventory of substances present on site that give rise to the CoMAH Upper Tier designation of the former SSI estate. It is understood that STSC estimates the cost of decontaminating the COGM at a figure in the region of £15M to £20M. This excludes decontamination of the two coke ovens complexes, also major contributors to the CoMAH inventory. STDC does not have access to any of STSC's information on cost estimates.</p> |
| 5. | Full breakdown of operating and maintenance costs of the Off Gas Header pipe | This will be fully known to STDC | This appears to be a request for pre-liquidation operational cost data, that STDC has no access to, nor any call on. |

| | Information requested | COMMENTS | STDC Response |
|-----|---|---|---|
| 6. | General arrangement drawings of BOS Plant Furnace; | Previously requested but nothing provided to date | As per the response to item 3. |
| 7. | Full site plan, ideally in AutoCAD format which allows us to drill down to individual structures/MPI's; | Previously requested but nothing provided to date | As per the response to item 3. |
| 8. | Individual site plans of respective plant areas/structures; including where applicable discrete floor plans; | Previously requested but nothing provided to date | As per the response to item 3. |
| 9. | Scaled structural/General Arrangement/Elevation drawings of individual buildings/structures; | Previously requested but nothing provided to date | As per the response to item 3. |
| 10. | Hazardous Construction/Insulation Materials Surveys completed post Administration; Asbestos 'Management' or Refurbishment/Demolition Surveys; | Please confirm that the ssteel.sharepoint file (last updated 27 February 2019) includes all records | The only such survey completed post administration relates to a limited programme of discrete pre-demolition asbestos surveys commissioned by STDC in relation to certain of the more peripheral assets within the former SSL estate. The related reports are available and will be provided. |
| 11. | Hazardous Construction/Insulation Materials Surveys existing pre Administration; Asbestos 'Management' (Type 2) or Refurbishment/Demolition (Type 3) Surveys; | Previously requested but nothing provided to date | As per the response to item 3. |
| 12. | Site Investigation/ground contamination surveys completed post administration; | Please confirm that no further studies and cost estimates have been commissioned other than as uploaded to the ssteel.mysharepoint file on 27 February 2019 | No further studies and cost estimates have been undertaken in respect of site investigation/ground contamination surveys other than uploaded on 27 February 2019, save that of the cost analysis in respect of |

| | Information requested | COMMENTS | STDC Response |
|-----|---|---|---|
| | | | High Tip and the SLEMS, and the GI report on the SLEMS, that have previously been provided. |
| 13. | Site Investigation survey/monitoring surveys existing pre administration; | Previously requested but nothing provided to date | As per the response to item 3. |
| 14. | General arrangement drawings of PCI Plant structure; Hoppers, Coal Mill; including individual GA's of Coal Mill; | Previously requested but nothing provided to date | As per the response to item 3. |
| 15. | General Arrangement drawings of Blast Furnace; | Previously requested but nothing provided to date | As per the response to item 3. |
| 16. | Simple Process Description/PFD's of individual plant areas; example; Coke Ovens By Products Plant; | Please confirm that the ssisteel.sharepoint file (last updated 27 February 2019) includes all records | As per the response to item 3. |
| 17. | Asset Register; Equipment List by individual Plant Area; | Previously requested but nothing provided to date | As per the response to item 3. |
| 18. | Other surveys completed post administration which identifies potential liabilities/values of site/individual areas. | Please confirm the full extent of surveys undertaken and provide copies thereof | There are no further surveys other than have previously been provided or are as referenced as additional in the above comments. |
| 19. | Copy of the Tata Sales Contract | This is required to enable a proper analysis of the terms to be undertaken | The contract between Tata and STDC is protected by a confidentiality agreement. We have consulted with Tata and its advisors, and they are not prepared to sanction its release to other parties. |
| 20. | Details of the central and local government funding of "safeguarding" remediation and development costs | Previously requested but nothing provided to date | STDC has previously confirmed that it is not party to this information which is a matter between BEIS and STSC. This is not a local government matter. |

| | Information requested | COMMENTS | STDC Response |
|-----|--|---|---|
| 21. | Copy of CL3/8 Landfill Sideslope Capping Specification report No 134r1vd0814 | Referred to in latest document release by STDC. We also need copies of any revisions. | This information has been located and will be provided. |
| 22. | Copy of the Volumetric survey High Tip | Please provide full disclosure of the investigations and date informing the Arcadis Validation Report 2018 Volumetric Survey. Please confirm whether any other studies have been carried out and provide full details | Arcadis did not undertake the work on High Tip. Their work was in connection with the SLEMS. The volumetric survey details have previously been provided for High Tip. There have been no further studies carried out. |
| 23. | Copy of the 2010 proposals High Tip | Please provide an update in respect of the 2010 proposal discussions with TATA and provide full detail thereof | As has previously been advised, STDC has requested the 2010 proposals from Tata and they have confirmed that they don't hold this information. We are therefore unable to provide the related material. However, it was superseded in any event by the 2014 SSI documentation, which has already been provided. |
| 24. | Copies of the topo and ground investigation together with details as to how the BPS Oxide volume has been calculated for SLEMS | STDC refer to the Arcadis Report but the one provided only relates to High Tip. Please provide a copy of the relevant Arcadis Report together with copies of all underlying data and surveys. | The Arcadis report on the SLEMS was provided in the pack issued to MdR on 04 October 2019. It does not relate to High Tip. The survey details are included in the Arcadis report, as is the relevant data. |

Mishcon de Reya

Our Ref: 59146.1

Your Ref: 2649439/VJF01

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Ms Fowler
Partner
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5 December 2019

BY EMAIL (VICKY.FOWLER@GOWLINGWLG.COM)

Dear Sirs

**Proceedings of the South Tees Development Corporation
Schedule 12A (the "Schedule") of the Local Government Act 1972 (the "Act")**

Thank you for your letters of 28 November 2019 of 3 December 2019, and for the copies (albeit heavily redacted) of meeting agendas which were subsequently provided.

Your letter makes much of the Schedule, and of the likelihood that matters considered at the meetings in question meet the descriptions set out in the Schedule. With respect, that approach to the determination of what documents are subject to the statutory duty to make material available for public inspection skips several critical steps in the legal analysis and results in flawed conclusions.

The starting point is section 100A(1) of the Act, which provides that all of your client's meetings are open to the public unless the public is excluded in one of only two possible ways. The first is not relevant for present purposes, relating to "confidential information" (e.g. matters of national security, where either law or the express terms of disclosure from Central Government forbid public release of material).

The relevant basis for excluding the public is that under section 100A(4), by which an authority may by resolution exclude the public from a meeting during an item of business that would otherwise involve the disclosure of "exempt information" (as defined in section 100I and, in turn, by reference to the Schedule). Your letter makes it clear that it is the section 100A(4) "exemptions" that your client now seeks to rely upon.

A resolution under section 100A(4) must identify the proceedings, or the parts of proceedings, to which it applies, and must state the category of information by reference to the Schedule which gives rise to the need to exclude the public (section 100A(5)). It follows that each meeting requires its own resolution, it being impossible to make general provision for exclusion of the public whilst also meeting the requirements of section 100A(5).

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The question your letter answers is not the question asked in analysis of the legislation. You have addressed whether material contained in the agendas, reports, minutes and background papers that I have requested falls within any of the categories in the Schedule. However, what you have not answered is whether your client made a resolution both to that effect under section under 100A(4), and that the public should be excluded on each occasion.

It makes no difference whether any member of the public actually attended a given meeting. Part VA of the Act is about access to both the meeting itself and the subsequent record of it. Thanks to Part VA, there is no need to be present in person, because the record is preserved in the public domain.

There are a number of reasons for concluding that it is very unlikely that your client has ever made a resolution to exclude the public from its proceedings:

- You have indicated that copies of agendas *"have been available ahead of meetings on request"* but that my request is the first. For that statement to be true the Proper Officer would have had to have prepared all necessary redactions ahead of those meetings, having formed in every case and in advance the opinion that the relevant part of the meeting was unlikely to be open to the public under section 100B(2). If the meeting was in fact closed, then your client's Proper Officer would have then prepared appropriately redacted materials for public inspection, including summaries of all such exempt documents pursuant to section 100C(2) of the Act.

However, you have also stated that *"the agendas have not been compiled to indicate the items that contain exempt information and those that do not"* and that *"the same is true of the minutes."* You have also confirmed that the agendas exist and were expected to be provided only in unredacted form and that the absence of redaction should not be taken to indicate a lack of underlying exemption(s). In other words, when you wrote your letter of 3 December, there was nothing other than your client's *ex post facto* review of its papers to indicate what matters are now said to be exempt. It therefore follows, directly and inescapably from the express terms of your letter, that the Proper Officer has never made a prior determination under section 100C(2) of what matters are likely to be closed to the public, and has never prepared papers for inspection or summaries of closed session proceedings consequent upon a resolution under section 100A. That redactions have been made between the issue of your letter and the subsequent circulation of agenda papers is of no consequence.

- The structure of your client's meeting papers, as you acknowledge, draws no distinction between items of general business and items of an exempt nature. The purported redactions flip-flop between open session and closed session which in practice would be a hopelessly inefficient way to conduct a meeting. Had your client been aware of the requirements and consequences Part VA of the Act it would, like most authorities, have adopted the convention of leaving private business to the end of the agenda.
- The one and only set of minutes that your client has published (so far as we are aware) includes no reference to any resolution under section 100A(4). I refer to

the meeting of 25 July 2018, the minutes of which are posted on your client's "Compulsory Purchase Order" web page. Indeed, it is clear from those minutes that a standardised format is followed, with provision made for the usual categories of discussion, welcome, apologies, declarations of interest, items of business and 'AOB' to finish. Nowhere in that running order is there an opportunity for consideration of whether to exclude the public from the meeting or part of it. This is also true of all of the agendas that you have provided, disclosing a consistent pattern of proceedings without consideration of Part VA of the Act.

Those minutes are attached (unfortunately the online file appears to be corrupted, and some of the formatting has been lost in its conversion from PDF). I also note that your letter asserts that the business of STSC is not discussed at STDC meetings. This, however, is clearly not accurate given the seventh bullet point under paragraph 5.4 of those minutes.

The significant legal error in your letter is that the only material that is exempt from subsequent public inspection is material relating to meetings or parts of meetings which were in fact closed to the public. This is expressly clear from sections 100C(1)(a), 100C(1)(d), and 100D(1) of the Act which references whether or not the public were excluded from a session, rather than referencing the Schedule.

For the reasons set out above it seems unlikely that any such resolutions have been passed. It follows that everything that has ever been discussed in meetings of your client is a matter of public record. So too are all of the reports, minutes and background papers pertaining to those discussions.

In that context I repeat my earlier request (the substance of which you have not addressed) for:

1. copies of all schedules of meeting dates and times published by the Corporation since its inception in accordance with its constitution (Appendix II, 'Procedure Rules', paragraph 4);
2. copies of every meeting agenda produced for and/or or considered at any meeting of the Corporation in the last six years, including in particular the agenda for the meeting held on 25 July 2018 (now provided but in unlawfully redacted form);
3. in respect of every meeting at which business connected with any of
 - (a) the need for, or preparation and/or making of the South Tees Development Corporation (Land at Former Redcar Steel Works, Redcar) Compulsory Purchase Order 2019 (the "**Order**"), or
 - (b) the acquisition of land comprising the former SSI Steel Works site,
 - (c) meetings or discussions with banks based in Thailand, or
 - (d) works or actions or business of the South Tees Site Company Limited

was listed on the agenda, copies of:

- every report,
- every list of background papers, and
- every minute

connected with the relevant meeting including in particular unredacted copies of the agenda and reports to the meeting held on 25 July 2018.

4. in every case falling within item 3 above, confirmation of the date on which such agenda and connected reports were made available for inspection by the public in accordance with section 100B(3);
5. in every case falling within item 3 above where material was considered to be exempt from the requirements of section 100A or 100B, copies the relevant determination by the Proper Officer in respect of that material.

Having given reasonable notice in writing I attended your client's premises in an effort to view these papers in accordance with sections 100C and 100D of the Act and was unable to obtain access. In the circumstances, your client's continued pattern of prevarication and resistance to transparency at every stage of these proceedings is unacceptable. To avoid taking matters further, I formally request that your client complies with its statutory duties by immediate return.

Yours faithfully


Mishcon de Reya LLP

Direct Tel: +44 (0)20 3321 7901
Direct Fax: +44 (0)20 3006 8956
Email: anita.rivera@mishcon.com

cc: The Monitoring Officer, Tees Valley Combined Authority (in the capacity of Proper Officer of the South Tees Development Corporation)

Our Ref: AMR/EVC/59146.1

Your Ref: 2649349/VJF01

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70 Kingsway
London WC2B 6AH
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Ms V Fowler
Partner
Gowling WLG
4 More London Riverside
London
SE1 2AU

10 December 2019

BY EMAIL (VICKY.FOWLER@GOWLINGWLG.COM)

Dear Vicky

**Proceedings of the South Tees Development Corporation
Schedule 12A (the "Schedule") of the Local Government Act 1972 (the "Act")**

I feel I must respond to the unfortunate approach taken in your telephone call to me last Thursday evening, made a few minutes after delivery of my letter. It may be that you had not had the opportunity to review the statutory provisions outlined in my letter? Whatever the explanation, I would ask that going forwards these issues are addressed by way of considered legal analysis only.

Other than under a decision of the Courts or Parliament itself, English law allows no greater imposition on the rights of an individual than arise in the context of compulsory purchase powers. Your client has embarked upon the use of such powers, and should expect (even welcome) the highest standard of scrutiny. It has made the Order without publication of any of its relevant internal proceedings until after the fact, and even still only a single Board report and redacted minutes made publicly available on the subject of the Order website, despite the existence of at least two additional and directly relevant papers (confirmed by your provision of them to me) together with many more listed in the annex to this letter.

My clients are among those to be affected by the Order. They naturally wish to understand its context and the decision-making process that has been followed as fully as they can. They wish to satisfy themselves that your client's actions are beyond reproach in every respect.

To that end my clients wish to consider each and every document that is lawfully available to them. This is their obvious right. Requests for transparency and openness that my clients have made have been met with entrenched resistance which is wholly at odds with the level of transparency that is appropriate in public decision-making. This has created a situation in which my clients are unable to place confidence in the voluntary production of a full and accurate record of the public administrative functions carried out by your client.

57148247.2

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London: Mishcon de Reya LLP
New York: Mishcon de Reya New York LLP

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If my clients are lawfully entitled to a document then they are not required to waive that entitlement simply because your client considers its content to be confidential. Your client is expected to adhere strictly to its statutory duties. Your client must accept that every waiver of privilege, every accidental publication, and every failure of process or any other circumstances that have placed material in the public domain shall have full effect – irrespective of the confidentiality that might otherwise have been attached to particular material. I have provided you with a detailed analysis of the position as regards your client's statutory duties in respect of its meetings and supporting material.

The importance of those issues is made clear when one recalls that Parliament felt it necessary not only to create a statutory duty to furnish copies of the documents as I have requested, but also a specific criminal offence for refusing to do so. If (in addition to two weeks since my letter of 21 November 2019 and external legal advice) your client needs the assistance of Counsel then that is its entitlement. However the matter is urgent. A public inquiry as to whether or not the Order should be confirmed has been scheduled to begin on 11 February. The papers in question are highly germane to that Inquiry, and to the evidence which is to be delivered by mid-January.

As detailed below, it is clear that numerous records of discussions and decisions relating to the CPO have not yet been disclosed. I therefore require full, unredacted and unedited disclosure of at least the specific items listed in the annex to this letter by no later than 10 am on Friday 13 December 2019. To be clear, you will note that I have sought to limit the scope of these specific requests as much as possible, to reports and minutes of meetings of your client directly concerning the Order as can be identified from the redacted agendas that you provided. These are plainly matters of public record and ought be readily available in accordance with clear statutory duties.

If your client fails to comply with its statutory duties by that time then recourse will be sought through all available avenues, which will likely result in considerably wider advertisement of your client's procedural failings than would occur through compliance with my requests. I would note that any continued refusal to provide material upon which your client subsequently seeks to rely in the Inquiry will of course be drawn to the attention of the Inspector.

Yours sincerely



Anita Rivera
Partner

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Direct Fax: +44 (0)20 3006 8956
Email: anita.rivera@mishcon.com

CC: Monitoring Officer, Tees Valley Combined Authority in the capacity as the Proper Office for South Tees Development Corporation

ANNEX

Please provide:

1. a copy of the resolution authorising Ben Houchen to act in the role of Chief Executive whilst the post was vacant, including to make the Order as the Authorised Signatory;
2. paper 2.6 (agenda item 9(a)) presented to the STDC Board on 29 September 2017, and minutes of that meeting (or at the very least of agenda item 9);
3. paper 3.7 (agenda item 9(b)) presented to the STDC Board on 29 November 2017 and minutes of that meeting (or at the very least of agenda item 9 together with, if it exists, any relevant resolution under section 100A of the Local Government Act 1972 and a corresponding summary of the matters conducted in closed session);
4. paper 4.7 (agenda item 9(b)) presented to the STDC Board on 24 January 2018 and minutes of that meeting (or at the very least of agenda item 9 together with, if it exists, any relevant resolution under section 100A of the Local Government Act 1972 and a corresponding summary of the matters conducted in closed session);
5. the details, agenda and minutes of the meeting from which the (draft) 12 February 2018 Board paper enclosed with your letter of 3 December 2019 arises together with the final version of the draft 12 February 2018 Board paper (is this paper 4.7 – or a version of it – as presented to the meeting of 24 January 2018? See below);
6. the minutes of the meeting of the STDC Board on 25 July 2018 (or at the very least of agenda item 9 together with, if it exists, any relevant resolution under section 100A of the Local Government Act 1972 and a corresponding summary of the matters conducted in closed session);
7. a copy of the resolution authorising the making of the Order (the minutes of 25 July 2018 indicate support for an amended recommendation but (a) relate to a very different draft Order Map, and (b) include no resolution to proceed);
8. paper 8.4 (agenda item 6) presented to the STDC Board on 26 September 2018 and a copy of the minutes of that meeting (or at the very least of agenda item 6(a) together with, if it exists, any relevant resolution under section 100A of the Local Government Act 1972 and a corresponding summary of the matters conducted in closed session);
9. paper 9.4 (agenda item 6) presented to the STDC Board on 28 November 2018 and a copy of the minutes of that meeting (or at the very least of agenda item 6(a) together with, if it exists, any relevant resolution under section 100A of the Local Government Act 1972 and a corresponding summary of the matters conducted in closed session);
10. unredacted agenda and minutes relating to the meeting of 15 January 2019 (both in full on the grounds outlined earlier and, in any event, given publication of details of that meeting in the TVCA Cabinet papers of 24 January 2019);
11. a copy of the draft Order Map appended to the TVCA Cabinet papers of 24 January 2019 (but inexplicably withheld from public view);
12. a copy of the minutes of the meeting of the STDC Board on 30 January 2019 (or at the very least of agenda item 6 together with, if it exists, any relevant resolution

under section 100A of the Local Government Act 1972 and a corresponding summary of the matters conducted in closed session);

13. a copy of the minutes of the meeting of the STDC Board on 27 March 2019 (or at the very least of agenda item 6 together with, if it exists, any relevant resolution under section 100A of the Local Government Act 1972 and a corresponding summary of the matters conducted in closed session);
14. paper 15.3 (agenda item 6) presented to the meeting of the STDC Board on 27 November 2019 and a copy of the minutes of that meeting (or at the very least of agenda item 6 together with, if it exists, any relevant resolution under section 100A of the Local Government Act 1972 and a corresponding summary of the matters conducted in closed session).

Our Ref: 59146.1

Your Ref: 2649439/VJF01

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South Tees Development Corporation
Cavendish House,
Teesdale Business Park,
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Tees Valley, TS17 6QY

17 December 2019

BY EMAIL (VICKY.FOWLER@GOLWINGWLG.COM; ENQUIRIES@SOUTHTEESDC.COM)

Dear Sirs

LETTER BEFORE CLAIM

**Part VA Local Government 1972, Pre-Action Protocol for Judicial Review:
Unlawful refusal to disclose Committee Papers**

This letter is sent to the South Tees Development Corporation ("**STDC**") in accordance with the Pre-Action Protocol for Judicial Review.

The proposed claim relates to a failure by STDC to provide access to members of the public, specifically our clients, to documents relating to meetings held by STDC in accordance with its statutory duties under Part VA of the Local Government Act 1972.

Section 1. Information required in a letter before claim

1. Proposed claim for judicial review

To: the South Tees Development Corporation (STDC)

2. The claimants

TISCO Bank Public Company Limited,
Krung Thai Bank Public Company Limited,
Sahaviriya Steel Industries Public Company Limited

3. The defendant's reference details

2649439/VJF01

4. The details of the claimants' legal advisers, if any, dealing with this claim

Anita Rivera
Mishcon de Reya LLP
Africa House
70 Kingsway, London
WC2B 6AH

Reference: AMR/59146.1

5. The details of the matter being challenged

Judicial review of the decision by STDC not to provide unredacted copies of agendas, reports, minutes and (where relevant) background papers in relation to specified meetings of the South Tees Development Corporation.

6. The details of any Interested Parties

N/a

7. The issue

The Law

- 7.1 STDC is a "Principal Council" for the purposes of Part VA of the Local Government Act 1972 (the "1972 Act") by virtue of section 100J(1)(h).
- 7.2 Section 100C of the 1972 Act provides that for a period of six years following any meeting of a Principal Council the public may inspect copies of:
- 7.2.1 the agenda for the meeting (section 100C(1)(c));
 - 7.2.2 the minutes of the meeting (excluding so much of the minutes of proceedings during which the meeting was not open to the public as discloses exempt information) (section 100C(1)(a)); and
 - 7.2.3 so much of any report for the meeting as relates to any item during which the meeting was open to the public (section 100C(1)(d)).
- 7.3 Supplementary provisions provide for inspection of such documents in person at all reasonable times and for provision of copies on request.
- 7.4 Where part of a meeting is closed to the public section 100C(2) provides that a summary should supplement any redacted minutes so as to provide a reasonably fair and coherent record of the whole of the proceedings without disclosing any exempt information.
- 7.5 No provision exists for the agenda of any meeting of a Principal Council to be withheld from public inspection or redacted, in whole or in part, for any reason.

- 7.6 Section 100C is clear that only minutes and reports which relate to parts of a meeting that are closed to the public may be lawfully withheld from public inspection, and in relation to minutes then only insofar as they do not disclose exempt information.
- 7.7 If a meeting is not closed to the public, the comprehensive minutes and reports for the meeting must be made available for public inspection regardless of whether the Principal Council considers retrospectively that any or all of the documents contain "exempt" information.
- 7.8 Whether or not a meeting, or any part of it, is closed to the public is governed by section 100A of the 1972 Act. Under that provision all meetings are open unless:
 - 7.8.1 material is to be discussed that includes confidential information that, if disclosed to the public, would result in a breach of the obligation of confidence on the part of the Principal Council (section 100A(2)); or
 - 7.8.2 a resolution to exclude the public from the meeting has been adopted (section 100A(4)).
- 7.9 Section 100D provides that background papers should be listed as part of the relevant report and made available on request, albeit subject to a shorter retention period and a differently worded test for confidentiality, which does not turn on whether or not the meeting was open to the public. This distinction reflects the fact that unlike the reports that they inform, background papers are not tabled during a public meeting. Background papers may therefore retain confidentiality where the corresponding reports do not.

Unlawful Failure to Disclose Requested Documents

- 7.10 Documents have been requested from STDC in correspondence dated 21 November 2019, 5 December 2019 and 10 December 2019 (all enclosed). Each request has been made pursuant to section 100C of the 1972 Act and (so far as relevant) section 100D of the 1972 Act. It is impossible to tell whether section 100D is relevant in the absence of the papers to which section 100C applies.
- 7.11 To date STDC have provided only heavily redacted the copies of meeting agendas, (without any basis for such redactions) and some reports.
- 7.12 Full unredacted copies of all material requested have not been provided, despite all of the following:
 - 7.12.1 an attempt to view the documents in person on 3 December 2019; and
 - 7.12.2 the expiry of deadlines set in our clients' requests; and
 - 7.12.3 the expiry of deadlines given in STDC's correspondence in return.
- 7.13 In failing to provide all documents requested and in failing to provide unredacted copies of the documents that have been disclosed, STDC has:

- 7.13.1 provided no evidence to suggest that the public was excluded from any meeting on the basis that, if they were not excluded, confidential information as defined in Part VA of the 1972 Act would have been disclosed;
- 7.13.2 provided no evidence of any resolutions having been made under section 100A(4) of the 1972 Act so as to exclude the public from a meeting;
- 7.14 Given that the public has not been excluded from meetings in accordance with either or both of the above provisions, we believe that all relevant meetings held by STDC have been open to the public. STDC has therefore acted unlawfully in:
 - 7.14.1 failing to provide all documents requested; and
 - 7.14.2 failing to provide full unredacted versions of the documents that have been disclosed.
- 7.15 The decision not to disclose the requested documents in unredacted form is a breach of STDC's statutory duties under Part VA of the Local Government Act 1972. We further note that it is a criminal offence under s. 100H(4) for a person, without reasonable excuse, to refuse to provide copies of documents that are required to be open to inspection by the public under s. 100C(1).
- 7.16 STDC's conduct also represents a fundamental failure of good public administration and open government. Not only should the documents be made available to the public as a matter of course, the specific requests made and refused are of considerable significance to our clients. The information is sought by our clients in order to understand the decision-making process that has underpinned a compulsory purchase order (the Order) made by STDC that will be the subject of a public inquiry scheduled in early 2020. The Order, if confirmed, would result in the compulsory acquisition of our clients' land. Given the proposed interference with our clients' proprietary rights, it is imperative that we are provided with all information that ought to be in the public domain that relates to the basis for the decision to make the Order. Without this information, our clients are seriously prejudiced in their ability to effectively pursue their objection to the Order and, most pressing, prepare evidence that is presently due to be exchanged on 14 January 2020.

8. The details of the action that the defendant is expected to take

STDC is requested to provide full, unredacted copies of all requested information set out in the annex to the letter from Mishcon de Reya to Gowling WLG on behalf of STDC dated 10 December 2019.

9. ADR proposals

Alternative remedies for compliance with statutory requirement are not considered applicable in the circumstances.

10. The details of any information sought

As noted above in paragraph 8.1 and fully described in the 10 December 2019 letter attached.

11. The details of any documents that are considered relevant and necessary

As noted above in paragraph 8.1 and fully described in the 10 December 2019 letter attached.

12. The address for reply and service of court documents

As per paragraph 4.

13. Proposed reply date

As soon as possible and in any event no later than 3 January 2020 having regard to the deadline of 14 January 2020 for the submission of witness statements relating to the public inquiry to consider the Order (which is scheduled to commence on 11 February 2020).

Section 2. Address for sending the letter before claim

This letter has been sent to STDC's offices, as well as to their legal advisor with whom earlier correspondence on the matters has been exchanged:

Ms V Fowler,
Partner,
Gowling WLG,
4 More London Riverside,
London, SE1 2AU

This letter has also been copied to the Planning Inspectorate for information

Section 3. Specific reference details required

Not applicable.

Yours faithfully


Mishcon de Reya LLP

Direct Tel: +44 (0)20 3321 7901
Direct Fax: +44 (0)20 3006 8956
Email: anita.rivera@mishcon.com

cc: Sarah Tudor (Planning Inspectorate)

Your Reference
Anita Rivera, Partner



Our Reference
2649439/VJF01

Mischon de Reya
70 Kingsway
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Gowling WLG (UK) LLP
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By e-mail

DX 132076 London Bridge 4

19 December 2019

Dear Sirs

**Proceedings of the South Tees Development Corporation
Access to Information**

As you are aware we are instructed by South Tees Development Corporation in relation to the above and we write further to your letters of 21st November, 5th December and 10th December 2019.

Legislative Context

The South Tees Development Corporation (STDC) is the first Mayoral Development Corporation (MDC) outside of London. STDC was formed on 1 August 2017 and transacts its business through four Committees and the Board. The Committees comprise:

- Planning and Infrastructure
- Audit and Risk
- Business and Innovation
- People Search and Remuneration Committee.

It is acknowledged that STDC is subject to Part VA of the Local Government Act 1972 (the "1972 Act") by virtue of section 100J(1)(h).

We confirm that in line with section 100A(1) of the 1972 Act, our client's meetings to date have been open to the public (save where they have involved "confidential information" as defined in section 100A(3)) and we further confirm that there have been no resolutions excluding the public pursuant to section 100A(4).

The meetings which have involved "confidential information" are those which have discussed or involved information which is prohibited from disclosure under the Data Protection Act 2018 (and preceding legislation), per section 100A(3)(b). Much of the People Search and Remuneration Committee business would be exempt

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under this second limb, although the matters discussed at those meetings are not relevant to those matters set out in item 3 of your disclosure request in any event.

In line with section 100B copies of the agendas and reports for meetings have been available for inspection by members of the public at the offices of STDC on request following them being available to committee members. Section 100(3) makes it clear that nothing in that subsection requires copies of any agenda, item or report to be open to inspection by the public until copies are available to relevant members.

Section 100C of the 1972 Act provides that after a meeting of a principal council the minutes, or a copy of the minutes, excluding so much of the minutes of proceedings during which the meeting was not open to the public as discloses exempt information, should be made available for inspection. Section 100D deals with background papers which are treated differently to agenda, reports and minutes. Sub-section (4) states that nothing in that section—

"(a) requires any document which discloses exempt information to be included in the list referred to in subsection (1) above; or

(b) without prejudice to the generality of subsection (2) of section 100A above, requires or authorises the inclusion in the list of any document which, if open to inspection by the public, would disclose confidential information in breach of the obligation of confidence, within the meaning of that subsection".

The subsection (1) list referred to in subsection (4) is a list "of the background papers for the report or the part of the report".

Your Disclosure Request of 21 November 2019

In line with the above we attach a We Transfer file containing:

- Each meeting agenda for the Board and the Committee meetings referred to above. Each agenda contains the forthcoming meeting dates. The enclosed agendas meet points 1 and 2 of your information request.
- In respect of every meeting at which business connected with any of the following:
 - (a) the need for, or preparation and/or making of the South Tees Development Corporation (Land at Former Redcar Steel Works, Redcar) Compulsory Purchase Order 2019 (the "Order"), or
 - (b) the acquisition of land comprising the former SSI Steel Works site,
 - (c) meetings or discussions with banks based in Thailand, or
 - (d) works or actions or business of the South Tees Site Company Limited

copies of every report and minute are included on the We Transfer file. The agenda sets out the papers available for each meeting and the reports set out, where there are any, the background papers.

As noted above section 100D treats background papers differently in terms of disclosure. You have within the papers unredacted copies of the agenda and reports to the meeting held on 25 July 2018. This meets point 3 of your disclosure request.

- In response to item 4 of your disclosure request, we confirm that in line with section 100B copies of the agendas and reports for meetings would have been available for inspection by members of the public at the offices of STDC on request following them being available to committee members. Section 100B(3) makes it clear that nothing in that subsection requires copies of any agenda, item or report to be open to inspection by the public until copies are available to relevant members. There is no requirement under section 100B to publish the agendas and reports; the requirement is to make the information available for inspection.
- In response to point 5 of your disclosure request, there are no relevant determinations.
- In relation to the documents requested at item 6 STDC do not have access to these documents. I await further instructions on item 7.

Your disclosure request of 10 December 2019

In your letter of 10 December 2019, you provided a list of specific items which you requested be disclosed under the provisions of Part VA of the 1972 Act. In large part, the response to your disclosure request of 21 November 2019 has addressed this list. In response to the specific items you list:

- We have treated items 2-6, 8-10, and 12-14 as requests for copies of agendas, reports and meetings of the relevant meetings identified in those items. These are provided as above. There are no resolutions pursuant to section 100A of the Local Government Act 1972.
- In response to item 1, we will respond separately in our response to your recent correspondence questioning the validity of the made Order.
- By way of further explanation on item 5, the 12 February 2018 paper referred to in your letter did not go to a Board meeting. The paper contains a 'Draft' watermark but was utilised in an April 2018 Written Resolution procedure, carrying 'final version' in the file name. We have included the relevant papers in relation to the April resolution.
- In response to item 7, the further information provided at item 5 addresses your point regarding the initial Board resolution to the making of the Order. The 25 July 2018 meeting minutes, etc, add more context (and you have these papers in response to item 6). Regarding amendments to the Order Land and any subsequent Board authorisation thereto, Paper 9.4 for the 28 November 2018 Board is already in the pack and addresses revisions to the Order Land, providing a plan showing certain lands removed and RBT still included, but with narrative confirming RBT is likely to be removed. The minutes of this meeting are also included. The minutes of the Board meeting of 30 January 2019 (Annex item 12) confirm that RBT has indeed been removed from the Order Land. The documentation provided under Annex item 11 define the final CPO Order Land and proposition, and importantly, give ultimate sanction from TVCA Cabinet to the making of the Order.
- In response to item 11, the Paper and Order Map for the TVCA Cabinet papers are included. However, this did not go to the 24 January 2019 Cabinet meeting. It was actually deferred to the 13 March 2019 Cabinet. We have also included the Cabinet resolution to the making of the Order, given at that meeting.

Please note that the We Transfer link is only valid for 6 days.

We trust that the above and the attached also addresses the action which STDC is expected to take in response to your Pre-Action Protocol Letter before Claim of 17 December but perhaps you could confirm.

Yours faithfully

A handwritten signature in black ink, appearing to be 'Gowling', followed by a long horizontal line.

Gowling WLG

cc. Andrew Nixon Monitoring Officer of Tees Valley Combined Authority –in the capacity of Proper Officer of the Corporation

Your Reference
Anita Rivera, Partner



Our Reference
2649439/VJF01

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20 December 2019

Dear Sirs

**Proceedings of the South Tees Development Corporation
Access to Information**

We write further to our letter of yesterday to update you on items 6 and 7 of your disclosure request of 21st November.

In relation to item 6 as previously advised the referenced Compliance Assessment Reports (CARs) relate to dealings between the Environment Agency and the Official Receiver, post-liquidation. STDC understand that they concern the regular reviews of SSI-IL's compliance with the existing Environmental Permit, relating to the former SSI estate. STDC is not party to any of these proceedings and is not a recipient of the CARs.

In relation to Item 7 we confirm that STDC do not have the Environmental Permit relating to the SLEMS operations, which apparently ran from c. 2000 to liquidation in October 2015. The SLEMS is a former SSI asset under the control of the Official Receiver. The Permit would, therefore, be within his custody.

The above means that we have now responded in full to all of your disclosure requests. As per our letter of yesterday we trust that the above and the attachments to our letter of yesterday also addresses the action which STDC is expected to take in response to your Pre-Action Protocol Letter before Claim of 17 December and look forward to your confirmation in that regard.

Yours faithfully

A handwritten signature in black ink, appearing to read "Gowling", followed by a long horizontal line.

Gowling WLG

cc. Andrew Nixon Monitoring Officer of Tees Valley Combined Authority –in the capacity of Proper Officer of the Corporation

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APPENDIX E

From: John McNicholas
To: mobile.print@xentrall.org.uk
Subject: FW: SSI Steelworks Redcar

John McNicholas
Engineering & Programme Director
South Tees Development Corporation
M. +44 (0)7713 656 411
T. +44 (0)1642 527 162



South Tees Development Corporation, Cavendish House, Teesdale Business Park, Stockton-on-Tees TS17 6QY



From: John McNicholas
Sent: 26 November 2019 09:43
To: Peter Roberts <peter.roberts@dwdllp.com>
Cc: Ian Wharton <Ian.Wharton@rvagroup.org>; Mark Taylor <mark.taylor@rvagroup.org>; Anita Rivera <Anita.Rivera@Mishcon.com>; Vicky Fowler <Vicky.Fowler@gowlingwlg.com>; 'Toni Weston' <Toni.Weston@gowlingwlg.com>; David Allison <David.Allison@teesvalley-ca.gov.uk>; King, Michael (Avison Young - UK) <Michael.King@avisonyoung.com>
Subject: RE: SSI Steelworks Redcar

Peter

I note your advice that all future communications shall be through Mishcon de Reya. However, I will take this opportunity to correct you on two fundamental points and route all further communications through Gowling.

When we discussed the concept of a visit to meet with me, I advised that it would require a wider team in attendance as I don't possess all of the information. This is the reason why I would require STSC colleagues to be on hand to answer any questions I was unable to. They have a much greater depth of knowledge of the site than me. I'm sure you would agree that a meeting where I was repeatedly advising that I would have to ask others would not make for a good use of your team's time.

On the matter of the information that was made available in connection with the January visit, we have checked, and all available information that STSC had the OR's permission to host (which STDC had no influence or control over), was collated and hosted on a cloud-based domain (OneDrive) and pass codes were duly issued to the people your team requested to have access.

As previously advised, we will respond this week on the latest information schedule, where, as advised, the majority of the requests relate to OR information that we are unable to provide.

Regards
John

John McNicholas
Engineering & Programme Director
South Tees Development Corporation
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T. +44 (0)1642 408 020



South Tees Development Corporation, Teesside Management Offices, Redcar, TS10 5QW



From: Peter Roberts <peter.roberts@dwdllp.com>
Sent: 25 November 2019 10:29
To: John McNicholas <John.McNicholas@southteesdc.com>
Cc: Ian Wharton <ian.wharton@rvagroup.org>; Mark Taylor <mark.taylor@rvagroup.org>; Anita Rivera <Anita.Rivera@Mishcon.com>; Vicky Fowler <Vicky.Fowler@gowlingwlg.com>; 'Toni Weston' <Toni.Weston@gowlingwlg.com>; David Allison <David.Allison@teesvalley-ca.gov.uk>; King, Michael (Avison Young - UK) <Michael.King@avisonyoung.com>
Subject: RE: SSI Steelworks Redcar

John

Thank you for your email.

For the avoidance of doubt it is my understanding that Mishcon de Reya have passed everything through to me that has previously been provided to them by STDC. However, you will appreciate that I will not make statements on matters predating my appointment that are outside of my personal knowledge and I cannot speak for Duff and Phelps. If STDC consider that Mishcon de Reya is still requesting documents that were previously issued by STDC for use by Duff and Phelps and that they too are in receipt of, then please identify these and I will check the position.

The reference to "sweep-up" is correct to the extent that the Schedule dated 25 October 2019 brings together all the requests for documents into a single schedule so that both STDC and RVA/DWD are clear as to the position in respect of each item and the extent to which STDC/STSC are prepared/able to provide access to documents that have yet to be provided. This was intended to be helpful in dealing with this issue rather than having to refer STDC to each separate request from RVA, DWD and Mishcon de Reya.

As I have mentioned several times previously, Karl Dickinson advised that RVA and DWD would be given access to the database during our visit in January 2019. However, on arrival we were advised by Karl that access would be delayed and access was still not available on the conclusion of our visit. At no point subsequent to our leaving site, until our meeting on 15 November 2019, has either STSC or STDC provided any indication, in writing or otherwise, to RVA, DWD or Mishcon de Reya that access to the database was now available even though we have repeatedly requested this information. Clearly, had I been advised by STDC/STSC that the database was now available for viewing I would have made arrangements for viewing well before now and STDC would not have received multiple requests for this information.

You will also be fully aware that the purpose of this particular meeting was to review the database and meet with you as a representative of STDC. Access through the wider site was only required to access STSC's offices as that is where you are located. Had you advised that this location would cause you difficulty I would have been open to suggestions for an alternative location. In any event, as evidenced by our meeting in London, I have no objection to meeting with you off-site and would also be happy for the database to be hosted at a suitably accessible alternative venue.

The only document requested on the Schedule that had previously been provided to Mishcon de Rey comprised the Arcadis report in respect of SLEMS which I explained had been requested in error due to issues with the size of the document such that the DWD server had rejected it. I have already provided my apologies in this regard. The reference to CH2M Site Remediation Cost Estimate is clearly clarified within the comments as referring to further studies and estimates carried out since provision of the original report and not that report itself. It is therefore factually the case that none of the other documents specifically requested on the Schedule have been previously provided on any occasion contrary to the comments in your email.

In addition, as I have explained, I am keen to ensure that my team has access to up to date information such that I simply want to understand whether the documents that had been previously provided, as identified within the Schedule, have been superseded by further reports of which I may not be aware. To this end I look forward to Mishcon de Reya receiving your response, via Gowlings, in order that we can finally establish the precise position on each matter and move forward.

In this context, all communication, going forward, is to be directed through Gowlings and Mishcon de Reya and I will not be responding to further direct correspondence from you or Mr King.

Yours sincerely

Peter Roberts

From: John McNicholas <John.McNicholas@southteesdc.com>

Sent: 22 November 2019 18:46

To: Peter Roberts <peter.roberts@dwdllp.com>

Cc: Ian Wharton <ian.wharton@rvagroup.org>; Mark Taylor <mark.taylor@rvagroup.org>; Anita Rivera <Anita.Rivera@Mishcon.com>; Vicky Fowler <Vicky.Fowler@gowlingwlg.com>; 'Toni Weston' <Toni.Weston@gowlingwlg.com>; David Allison <David.Allison@teesvalley-ca.gov.uk>; King, Michael

(Avison Young - UK) <Michael.King@avisonyoung.com>

Subject: RE: SSI Steelworks Redcar

Peter

Regarding your email below, there are two principal issues to be considered: (1) the provision of requested documentary information, where permissible and available, and where not previously supplied; and (2) the potential opportunity for representatives from your wider team to visit site to meet with myself (and some of my colleagues) to gain a better understanding of site and, indeed, asset context.

As was explained at the meeting in your London office on the 15th, much of the latest information request is information that has been asked for before, that we are not the owners of and have no jurisdiction over, nor do we have it. It will be for the OR to grant access, where the information does exist, and I confirmed to you that I have written to the OR seeking such permission, and await a reply, although I can confirm that the OR has offered to speak with me about the request in the first instance.

Some of the information you now request is information that we are able to provide but which has been provided before, on more than one occasion, and I confirm that you advised that you have not necessarily been supplied with all of the information that was sent to Duff & Phelps et al in 2018, nor subsequent to this. In essence, you reported that you may not have a complete picture on what has previously been provided across the past 15 months and that, accordingly, the latest schedule of information was compiled by yourself as a "sweep-up", to make sure you and your team are in receipt of everything that has previously been issued and/or is now available as new information. If this is indeed the case, clearly, the information flow from Mishcon de Reya to your team has not been as effective as perhaps it should have been, which is unfortunate.

Regarding your fourth paragraph, my advice regarding the potential availability of information under the OR's jurisdiction, that was made available for viewing during and/or soon after the January 2019 visit to site, was clearly given in the context that it should still be available for inspection and had remained so in the intervening period since January, had your team requested further access. I will therefore check with STSC and confirm that this is, in fact, still the case and advise accordingly on arrangements for follow-up access.

On your request for a visit to site today (the 22nd), this was a totally unreasonable request and appears to demonstrate a lack of understanding of the complexities that impact the operation of and access to the site, and the ability to facilitate such a visit. As a prime example, I would need to arrange for STSC personnel to be on hand to assist, and these are people who are fully engaged in intensive site safety and security management activities further to the closure of the steelworks in 2015 and with the ever-declining condition of the assets and the safety hazards such circumstances present; a position compounded by the ongoing major HSE investigation into the fatalities that occurred on the South Bank Coke Ovens complex in September. STSC is, as advised, a BEIS company, and STDC has no automatic call on their time; this needs to be arranged with an appreciable degree of notice, in order that contingency site management measures can be put in place, especially in the current extraordinary circumstances. It seems that today's date was purely a function of RVA's availability, which is only a small component impacting the viability of a meeting date. I will however get back to you on this matter once we have considered the constraints and context impacting any potential visit.

Regarding the fifth paragraph of your email, your statement that STDC has custody of the database is incorrect. It is STSC who have custody on behalf of the OR. Additionally, you appear to be blurring the lines between the suggested simplicity of arranging a visit to view information on a computer screen and the aforementioned complexities involved in setting up a visit to meet with me and the wider team. As you rightly state, the OR is appointed to act in the best interests of the Banks, on whose behalf you are appointed. It is for this reason that we have continued to be confused as to why Mishcon de Reya continually press us for OR information when they could simply go to him direct, under directions from the Banks.

On your penultimate paragraph regarding the latest information schedule, I record here that we went through this with you, item by item, in some detail, at the meeting of the 15th. We will of course provide our responses and any related further information that can be provided, to Mishcon de Reya, via our appointed solicitors, Gowling. We will aim for the middle of next week for completing this action, albeit you are now apprised of the position regarding all of the items within your schedule and the fact that, for the majority, we have no further information to provide or, in respect of items concerning OR information, are presently unable to assist, pending the planned further dialogue with the OR referenced above.

Regards
John

John McNicholas
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South Tees Development Corporation, Teesside Management Offices, Redcar, TS10 5QW



From: Peter Roberts <peter.roberts@dwdllp.com>

Sent: 22 November 2019 12:11

To: John McNicholas <John.McNicholas@southteesdc.com>; michael.king@avisonyoung.com

Cc: Ian Wharton <ian.Wharton@rvagroup.org>; Mark Taylor <mark.taylor@rvagroup.org>; Anita Rivera <Anita.Rivera@Mishcon.com>

Subject: RE: SSI Steelworks Redcar

John

Thank you for your email.

At our meeting on Friday 15 November 2019 you offered to meet with RVA Group to give them the benefit of your knowledge. I confirmed that I welcomed and indeed was pressing for the opportunity for such a discussion in an attempt to help both parties move towards a common understanding of the factual position. This arrangement was further confirmed in my email dated 19 November 2019.

As I have previously explained, the context is that my advice is being relied upon by 3 banks. You have advised that you consider that you have certain information and knowledge as to the factual position of the site such that, in your opinion, RVA are, without the same information and knowledge, unable to provide my team and therefore the banks, with accurate advice. It stands to reason, therefore, that if our discussions are to move forward, this information must be shared. I would be grateful, therefore, if you would confirm, in writing, exactly what you are offering and provide some dates for a meeting so that I can check availability.

You also confirmed at our meeting that the RVA team would be able to view the OR records on the STDC/STSC database and I was given the clear impression that you would provide unfettered access for viewing. The purpose of our meeting in that regard was also clearly stated in my previous emails but, for clarity, RVA, in the absence of any information from STDC as to what is actually on the database by way of an index or contents summary, need to have an initial review and then return at another date to take detailed notes from the information itself. Until the initial review has taken place we cannot advise with any certainty as to the amount of further time required as we do not know what is on the database. I see no reason why this could not have taken place today as your attendance for this is not required. Notwithstanding this, please provide further dates so, again, I can check the availability of RVA.

The burden on STDC in providing access to the database simply comprises a single person in a minivan transporting the RVA team in the morning from Steel House to the STSC/STDC offices and back again in the late afternoon and showing them into the relevant room. This is hardly a burden on STDC or STSC and, in any event, I would remind you that, whilst STDC appear to have custody, control and/or access of/to the database, these records actually belong to the OR who is appointed to act in the best interests of the banks on whose behalf we are appointed, not STDC. I look forward to your assistance in this regard.

In the meantime, it would be extremely helpful if you would provide me with a full index of all documents held on the database as that may shorten the process.

As an additional point we have yet to receive, via Gowlings, your further response and information in respect of our "Documents Required for CPO Compensation Assessment" dated 25 October 2019. It was evident from our meeting that you had already prepared a response for delivery via Gowlings. In the absence of a substantive response from Gowlings to date on this matter please advise as to when this will be provided so I can suitably manage expectations.

I look forward to your confirmation on all these points.

Yours sincerely

Peter Roberts

From: John McNicholas <John.McNicholas@southteesdc.com>
Sent: 21 November 2019 17:48
To: Peter Roberts <peter.roberts@dwdllp.com>
Cc: michael.king@avisonyoung.com; Ian Wharton <lan.Wharton@rvagroup.org>; Mark Taylor <mark.taylor@rvagroup.org>; Anita Rivera <Anita.Rivera@mishcon.com>
Subject: Re: SSI Steelworks Redcar

Peter

I have been on leave today.

Unfortunately I am unable to meet tomorrow. Such a visit would need to be appropriately planned and properly structured, and my team here would need a degree of time to prepare.

We would also need to ensure that the context of the visit is understood and accepted and that expectations are suitably managed.

Regards
John

Sent from my iPhone

On 21 Nov 2019, at 12:17, Peter Roberts <peter.roberts@dwdllp.com> wrote:

John/Michael

I have yet to hear from either of you regarding tomorrow's meeting with John following my previous emails, my conversation with Michael and your team conference call last night. However, I understand that John has availability in Redcar on Friday afternoon and, having checked with Ian, he could be free in the afternoon as well subject to rearranging his diary such that we would be happy to meet tomorrow afternoon in the event that John is unable to make 9AM.

We are all busy but hopefully share a common objective of moving discussions forward to narrow down the issues and I therefore look forward to your confirmation of the position.

Yours sincerely

Peter Roberts

From: Peter Roberts
Sent: 20 November 2019 20:28
To: 'John McNicholas' <John.McNicholas@southteesdc.com>
Cc: 'Ian Wharton' <lan.Wharton@rvagroup.org>; 'Mark Taylor' <Mark.Taylor@rvagroup.org>; 'Anita Rivera' <Anita.Rivera@Mishcon.com>;

'michael.king@avisonyoung.com' <michael.king@avisonyoung.com>

Subject: RE: SSI Steelworks Redcar

John

Further to my email and my earlier conversation with Michael King I would be grateful if you would confirm this meeting by lunchtime Thursday as otherwise I will insufficient time to make travel arrangements and we stand to lose another 2 weeks.

Kind regards

Peter

From: Peter Roberts

Sent: 19 November 2019 12:15

To: John McNicholas <John.McNicholas@southteesdc.com>

Cc: Ian Wharton <ian.Wharton@rvagroup.org>; Mark Taylor <Mark.Taylor@rvagroup.org>; 'Anita Rivera' <Anita.Rivera@Mishcon.com>

Subject: SSI Steelworks Redcar

WITHOUT PREJUDICE

Dear John

Further to our meeting on 15 November 2019, you will hopefully recall that I am coordinating the various valuation workstreams on behalf of my clients, including matters relating to the costs of site preparation. In this context, you offered to provide access to your computer database at your offices for a review of the OR information relating to the site as previously requested by SSI. In addition, you also offered to brief RVA Group and me in respect of your understanding of site specific development delivery issues.

Ian Wharton, Mark Taylor (both RVA Group) and I are all available this Friday 22 November 2019 and I would therefore like to take up your offer and meet with you at say 9AM at the STSC/STDC site office.

For clarity, we will not be entering into negotiations at this meeting and this is intended purely as an opportunity for you to expand on the various points raised during our discussions in respect of site delivery to assist RVA Group and me in our understanding of your stance. As I stressed at our previous meeting we need to establish the factual position in respect of the site as it currently exists, as far as is possible, as a preliminary matter before matters of interpretation and cost/valuation can be addressed.

There will not be time for a full review but, following our meeting with you, we would be grateful for an initial high-level review of the computer database after our meeting, in light of which we will make further arrangements for a more detailed review by RVA Group.

I would be grateful for your confirmation by return in order that I may make travel arrangements.

Yours sincerely

Peter Roberts
FRICS CEnv
Partner



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