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APPENDIX 9

Appendix 1 - letter

Cllr. Matt Cooke
Chair, APP Board
Members Room
River Park House
Wood Green
London
N22

29th November 2007

Dear Matt,

Contract for Service

At the end of the meeting held yesterday afternoon I made some comments to you about the steps necessary to re-activate APTL in light of the earlier discussion.

However I am not sure that there is a current and clear understanding of my contractual position. I am not employed by either the Trust or APTL.

The Trust's general manager is David Loudfoot. It is David to whom I report under my contract for service. That contract is very specific and was drawn around the requirement to ensure that the Trust's interests were protected under the grant of the lease to Firoka.

Alexandra Palace Trading Ltd. is also not part of my contractual responsibilities. Nothing in the list of key deliverables is related to the company. I had raised with you the problem of key decision-making in the absence of David Loudfoot and also that of APTL prior to David Loudfoot commencing his annual leave but I think with everything else that is occurring it is likely the matter was overlooked.

The most senior individual within APTL is the company secretary, Ken Harrington. Mr. Harrington retires in January 2008. However he is the only accountant within the company. One temporary accountant suffered a heart attack in August and is unlikely to return and the accounts assistants have resigned with one already gone and the other leaving tomorrow.

Whilst Mr. Harrington can carry out the function of company secretary he does not have the knowledge to manage APTL. Even if he did his impending retirement does not allow the company to rely on his continued presence.

Part of the meeting yesterday appeared to make assumptions about what I could deliver in light of my previous position and knowledge gained. However there is no basis or framework for me to undertake the role on behalf of either the Trust or APTL. I carry professional

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indemnity insurance but that has been arranged on the basis of the work set out in my contract for service and will not extend to the activities now being discussed.

Given some of the comments, and tenor of those comments, in the earlier part of yesterday's meeting I will be necessary at very least to agree a written variation to my contract for service prior to publishing or agreeing to have published, any reports to which I have made a contribution. It is also necessary to note that the contract is not full time.

I regret having to write in such terms but I think it important to have set out the position clearly.

Yours faithfully,

K.E.Holder

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Members' Room

5th Floor, River Park House, 225 High Road, Wood Green, London N22 8HQ

Tel: 020 8489 2774 Fax: 020 8881 5218

www.haringey.gov.uk



Cabinet Member for Resources Councillor Charles Adje

Haringey Council

Appendix Two Submission from Cllr Adje

Your ref:

Date: 17th November 2008

Our ref:

Direct dial: 020 8489 2687

Email: charles.adje@haringey.gov.uk

Dear Mr Walkate and Ms Parker

Thank you for your correspondence and enclosures. It is not clear from the points in your correspondence or from the minutes of the Board what the objective of this further investigation is. Is it to ascertain why Keith Holder and or David Loudfoot failed to refer back to the Board or myself as the then Chair before the changes were applied to the licence and without seeking legal opinion and further approval? If that is the case, then I understand, as this is the crux of the matter as far as I am concerned. I would however like this point clarified.

Whilst I do not have much to add to what I have already said in my letter to the Ham & High and my statement at the Council meeting, I will endeavour to answer some of the points raised in your correspondence as far as I can remember and attach both documents and a copy of an email from Andrew Travers dated 12th February 2007. I hope you find its contents useful especially in relation to the points made by both Mr Tarpey, the observer at meetings for so many years, and Nigel Willmott, former Chair of the Board in relation to Keith Holder's knowledge, experience and role as recorded in the minutes.

Keith Holder was held in high regard and everyone at the time felt that the deal would collapse without his expert knowledge and experience of having run the place for so many years – he had also been driving the development and transfer process. It is against this backdrop that the Board at the time resolved not to terminate Keith Holder's services and requested that he should be retained as a consultant and to train and provide support to David Loudfoot.

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2005-2006
Getting Closer to Communities

INVESTOR IN PEOPLE

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Now I turn to your questions;

1. I believe this meeting did take place and notes were as usual taken by Keith Holder. On this occasion, I believe it was to discuss secondment of staff and Kassam's proposals for running the Palace. I can confirm KH took notes of all our meetings but did not produce them. The outcome was that KH and Kassam would continue and finalise matters.

2. I seldom received calls from Kassam. Keith would normally phone me if there were any issues. Kassam did phone to confirm the discussion he had with KH about the Licence. We concluded that I would check with KH.

3. I can confirm that I met and had discussions with Sean Ormrod on Monday 16th April as well as with the marketing staff who filled me into how they were being treated and had been for years. I had had several discussions with Mr Ormrod, KH and David Loudfoot. I was aware that there were issues between them regarding management styles, operational issues and how staff were treated by KH and DL. I did meet with the staff as stated who felt that they had never been to the third floor of the building unless asked by KH and DL - they had never had staff meetings and ~~they were grateful for my visit which~~ They were grateful for my visit which was the first time ever a member or Chair of the Board had met with them.

4. I do not recall being involved in any discussions with the Charity's legal advisors on 17th April regarding the licence. (Exempt 11)

5. I received the note in question.

6. I presume so.

7. I noted the contents of the note and took no further action bearing in mind that KH and Kassam had discussed matters prior.

8. I confirm that I did not receive any particular briefing/s nor discussions regarding any of the proposed changes to the licence and profit or loss implications.

9. I did not contact Keith Holder to 'make it clear' to him as stated. Keith later informed me that the licence could be novated along with the staff on secondment for a limited period given APTL's financial position. See his appendix 2 dated 1 August 2007. (I attach a copy of the Written Resolution of the Directors). I wondered at the time why he felt it could now be done. He asked when it should be done by and whether it should be done prior to the Group AGM and I remember saying 'if it can be achieved'. He did not however explain why he changed his mind though.

10. Yes, Councillor Meehan as Leader of the Council. I checked everything out with him before actioning and prior to informing my Labour colleagues as our objective was to transfer the risks. I believe the Chief Executive was going to telephone Keith following my discussion with Councillor Meehan.

11. No, I did not as KH was now progressing matters contrary to his note.

12. This is correct.

13. This is also correct. As stated in 8 above, there were no discussions or briefings about profit share or loss percentages.

14. Certainly not. KH advised that it would not be prudent to prepare a full report and that what was needed to progress the secondment and licence was to have a brief outline to the meeting for approval as he felt that the information (within a report) could be leaked as has often been the case.

15. No, I did not. In fact, following the Board meeting on 24th April, I cannot recall having any further discussions with officers at the Palace regarding any change/s to the licence or progress. (I was not aware of who signed it or when it was signed as I

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thought KH was dealing with all matters).

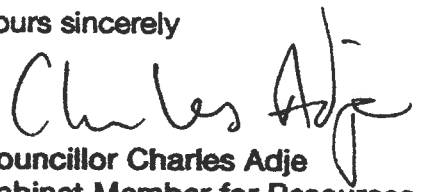
16. I cannot comment as I was not present at the signing.

17. I confirm that I did not have any detailed discussions with Kassam about the Licence nor did I have any involvement in the detail or composition of the Licence. If I did, I would certainly know the details and confirm same but I did not and still do not. I have not seen the licence and do not know what it looked like before or now. Everyone deferred to Keith as the font of all knowledge as far as these matters are concerned. Keith led on all the negotiations. On the issue of the comments by Firoka, I would ask why Keith did not check / corroborate this with me. This is the first I have heard of this statement.

I cannot fathom why Keith would suggest that he was instructed or pressurised to complete the Licence by 4th or 5th May when as you both know deadlines can and are often missed. If Keith was having difficulties with Kassam why did he not report back or call me as he often had done? Whenever there had been issues or problems with Kassam, Keith would phone me or ask for a meeting. I would then speak to Cllr Meehan depending on the issue at hand. I received no such calls during the Licence negotiations from either Keith or David Loudfoot.

I would also like to know why, if legal advice or Counsel opinion were sought they were not provided to me or the Board prior to completion. It was Keith who called and advised me to continue as the Chair of APTL after my Group's AGM despite my concern about possible potential conflict. He said that there was no conflict and that it was only for a short period as the transfer to Firoka would soon be complete and the company wound up. He felt it was too much trouble to go through the process of completing forms to change directors and signatures. Just so that you know, Keith did thank me for letting him run the business without any interference. He said he was very grateful and appreciated it. I am very disheartened and disappointed at his current stance. I feel rather let down.

Yours sincerely



Councillor Charles Adje
Cabinet Member for Resources

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Cllr Adje Charles

Appendix 2.

Email Andrew Travers
 to Ita O'Donovan

From: Travers Andrew
Sent: 12 February 2007 09:42
To: O'Donovan Ita; Young Stuart
Cc: Dauncey Tim; Almeroth Gerald; Cllr Meehan George; Cllr Adje Charles; Fiore Davina
Subject: Alexandra Palace

Ita/Stuart

I met with Cllr Adje to discuss management arrangements post transfer to Firoka.

We agreed that:

- it would not be sensible for Keith Holder to have a continuing role with both Firoka and the Council as trustee;
- with hindsight, it might have been better for Keith to have a role with Firoka and for the Council to make alternative arrangements for managing trust affairs; but
- given where we are with the Charity Commission and existing board decisions, it is too risky to the transfer to Firoka to change arrangements in the short-term and that Keith should continue with the trust for a limited period (6-12 months) post transfer.

We also discussed the need to have effective short-term arrangements in place (both to monitor Firoka's performance and to ensure as far as possible that Firoka's development proposals are successful), and to ensure sound longer-term management arrangements and support to the board.

We concluded that Cllr Adje would inform Firoka and Keith that we would not support Keith being employed by Firoka at this time. We also concluded that it was sensible for the board to go ahead with the proposed appointment of RLF to support the monitoring of adherence to lease terms.

Subject to your approval Ita, I suggested that Tim Dauncey should oversee the establishment of short-term management arrangements and Keith's role within them, and also to propose longer-term arrangements post Keith's final departure. This would need to cover:

- involvement of property services as client to RLF
- involvement of parks as client to the parks contractor
- the retention of the external legal adviser to the board
- involvement of strategic sites and regeneration
- finance and support services
- the roles of other retained trust staff.

Andrew

Board's inaction led to Firoka walking away from AP deal

Ham & Hig
Thursday 2nd October 200

READ with incredulity your comments, on the Walklate Ally Pally report (Call for heads to roll after shocking Ally Pally report, H&H Broadway September 25). To state that the whole deal was done behind closed doors is absurd.

Board members were informed of the financial situation and of contracts being terminated or dwindling. Firoka was becoming impatient and was concerned about this, the Unions were concerned about the way their members were being dealt with regarding TUPE negotiations, and staff were also leaving to take up jobs elsewhere due to the continuing uncertainty.

Firoka had the resources to move things forward and the potential to channel business to the Palace.

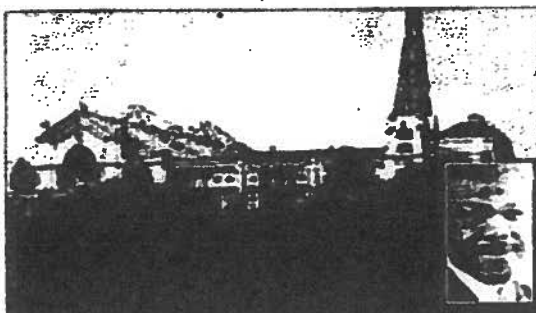
The Alexandra Palace Trading Company was also being wound up as it was in deficit, and the board ran the risk of trading with an insolvent company (as reported by officers at the time). The two independent non-executive directors had already stood down and liquidators were on standby to wind down the company.

You will be aware that the company has its own accountants and auditors. Council officers were aware of this and I believe provisions had been made to this effect.

In order to ensure the future of the assets and that staff were provided with some certainty for the future and to further lock Firoka in, the Board of Trustees and of the Trading Company decided to second the staff and grant a licence to Firoka Alexandra Palace Limited for a limited period.

At no time did any board member query this decision or state that they did not understand what was being proposed. The decision to transfer was unanimous. The Leader of the Council and the Chief Executive were fully conversant with the process.

I am certain that the interim licence would not have been granted if board members had been told that the Judicial Review would go against the Charity Commission or the board. It is however, regrettable that officers did not seek legal or counsel's opinion to finalise the licence.



Safeguarding Alexandra Palace's future and lifting the burden on the ratepayer was always my aim, says Charles Adje (inset)

Counsel's opinion was sought by officers regarding the Judicial Review and the chair of the Board of Trustees, the council leader and the chief executive were fully conversant with the opinion.

The Walklate report infers that board members were not competent and casts aspersions on their ability, their hard work and good intentions. The report failed to reflect the fact that apart from one board member who had been on the board for some time, the other members, including myself at the time, were new appointees with no previous involvement with the board.

We needed to complete the transfer process and there was no reserve bidder or plan 'B'. We were faced with a fait accompli. We therefore had to make do with what we inherited.

I should also like to state that I have had no dealings in the affairs of the Palace since I left as Chair. I do not know how Mr Walklate's service came to be commissioned, nor was I consulted in terms of his remit.

The board's aim at all times was to transfer the risks and secure the future of the assets and the staff, although this strategy had its critics.

The Walklate report and your lead comment belittle the £50m investment by Firoka, a project which commenced in 2004 and which I believe to have been the second attempt to transfer the risks and secure the future of the assets.

It should be noted that the transfer did not collapse as a result of the licence issue, as the licence was issued for a limited

period. The licence should have been terminated immediately after the outcome of the Judicial Review as the need for it to continue no longer existed.

It should also be borne in mind that Firoka 'walked' as a result of the inaction on the part of the board to progress matters, (according to their press statements) which you also published, and not as a result of issue of the licence.

We had never denied that there had been longstanding governance problems with the Palace. The board was faced with a dilemma: whether to spend its energy on the issue of governance as inherited (which is a perennial issue) or to focus on the transfer (which would have resolved the governance issue as the Trading Company would have been liquidated following the transfer).

The report and your comments seem to infer that this all happened in my term as chair, which is not the case.

My aim and that of my Labour colleagues has always been and remains the same, to safeguard the future of the Palace and lift the burden from the Haringey taxpayer.

Finally, it should be noted that I asked for the whole report to be made public rather than parts of it, as I have nothing to hide.

As ever, I will continue to work hard for the benefit and interest of the people of our borough, not just for the few.

CLLR CHARLES ADJE
Labour Member for
White Hart Lane Ward
Haringey Council

Council Statement by Councillor Adje

Councillor Adje - Council Statement

As Chair of the Alexandra Palace and Park Board of Trustees at the time the licence to trade was discussed and put in place with Firoka in May 2007.

It must be appreciated that officers and members, including myself were operating under great pressure to ensure the success of the leasing arrangement with Firoka, for the benefit of the Trust and ultimately for Council taxpayers, bearing in mind that Firoka was the only and main partner with no plan B which the board inherited

The Board voted unanimously for the transitional arrangement for a limited period which ultimately would have been superseded by the lease and also as a way of helping to maintain the commitment of Firoka to the process which was fundamentally in the of the Trust and the people of Haringey as Firoka Alexandra Place limited was going to invest just over £50m in the restoration of the Palace.

Furthermore, it was based on the advice by officers that APTL was in deficit and we ran the risk of trading with an insolvent company which is unlawful.

It was my understanding and that of the Board's that the licence with Firoka was to be granted on the same terms as those applying to the licence with APTL.

It is regrettable that changes to the terms of the licence were not brought to my attention or to that of fellow Board members when it was finalised.

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Appendix 2
Written Resolution
APTL

ALEXANDRA PALACE TRADING LIMITED

To: Charles Adje, Chair; Pat Egan, Director; Bob Hare, Director; Sheila Peacock, Director; c.c. Ken Harrington, Company Secretary

Subject: Written Resolution of the Directors

I write to formally advise that the board of trustees of the charity met on Tuesday 24th April 2007. As sole shareholder the charity resolved that the directors of Alexandra Palace Trading Ltd. should be advised that in light of the Charity Commission decision in principle to grant an Order* allowing disposal of Alexandra Palace and the immediate surrounding area to Firoka (Alexandra Palace) Ltd. the licence granted to APTL to use the asset is being rescinded. Further that Firoka (Alexandra Palace) Ltd. be granted an option of early occupation to facilitate a phased transfer of staff enabling Firoka to develop the business in advance of completion of the formal lease.

The directors of APTL can no longer operate and comply with the memorandum and articles of association which constrains the activities of the company to generating business within Alexandra Palace. A formal resolution to cease trading is therefore required.

Further and flowing from the effect of ceasing to trade all creditors must be paid and all debts converted into cash on the balance sheet. The next step will be to appoint liquidators from Deloitte & Touche to ensure that the members voluntary liquidation previously reported to the directors can proceed.

The directors will recall that the fee structure previously reported was ~~£25,000~~ with additional costs for advertising, etc. being around ~~£10,000~~. These figures are VAT exclusive. These sums have been discussed with the Acting Director of Finance at the local authority because it may be necessary for some financial support in this respect. The Acting Director of Finance has confirmed his view that it represents value for money and provides a higher degree of comfort to the directors than any other route to closure.

To give effect to these matters would require a meeting of the directors. Alternatively the resolutions can be agreed by a process known as written resolutions. In the latter case the remaining directors all receive copies of the resolutions and sign against each one indicating the consent to it.

The resolutions are on page two of this document. I would ask that each director prints off page two, signs to indicate consent against each of the resolutions, inserts the date at the bottom of the page and returns the copies to me by first class post as soon as possible but in any event no later than Friday 4th May 2007.

Please note that effect cannot be given to the resolutions in the absence of signatures.

I will advise of the result immediately thereafter.

Regards,

K.E.Holder

* The Charity Commission subsequently confirmed on 30th April following a further meeting of the Commissioners on Friday 27th April that all matters had been concluded and that they were prepared to formally grant and seal the Order.

Alexandra Palace Trading Ltd.

My consent to the resolutions laid out on page 1 of this document is indicated by my signature as follows :

Resolution 1 – That all staff be seconded to Firoka (Alexandra Palace) Ltd.; that all commercial contracts be novated in Firoka's favour; that all contracts for supply of goods be novated in Firoka's favour; any other contracts not generally or specifically covered above also be novated;

Signed :

Resolution 2 – That Alexandra Palace Trading Limited ceases to trade on the date that Firoka (Alexandra Palace) Ltd. assumes control of the business;

Signed:

Resolution 3 – That the Company Secretary be instructed to pay all creditors and vigorously convert all debts;

Signed:

Resolution 4 – That Deloitte & Touche be appointed as liquidators and on appointment the remaining directors agree to resign.

Signed:

Date of Signatures

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Appendix Two

Email KH to Cllr Adje – 27.06.07

From: Keith Holder [keith.holder@appct.org]**Sent:** 27 June 2007 10:24**To:** Cllr Adje Charles**Subject:** Alex Palace**Importance:** High**Follow Up Flag:** Follow up**Flag Status:** Red

Charles,

Could you give me a call on my land line - 020 83654325. I am in the office most of today [Wednesday] and tomorrow.

Regards,

Keith Holder

Consultant Development Manager

Edwin Holder Associates

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APPENDIX

Appendix three

Covering reply above incorporating questions originally posed.

Text document arising from scanning Cllr. Adje's document and inserting original questions.

Dear Mr Walklate and Ms Parker

Thank you for your correspondence and enclosures. It is not clear from the points in your correspondence or from the minutes of the Board what the objective of this further investigation is. Is it to ascertain why Keith Holder and or David Loudfoot failed to refer back to the Board or myself as the then Chair before the changes were applied to the licence and without seeking legal opinion and further approval? If that is the case, then I understand, as this is the crux of the matter as far as I am concerned. I would however like this point clarified.

Whilst I do not have much to add to what I have already said in my letter to the Ham & High and my statement at the Council meeting, I will endeavour to answer some of the points raised in your correspondence as far as I can remember and attach both documents and a copy of an email from Andrew Travers dated 12th February 2007. I hope you find its contents useful especially in relation to the points made by both Mr Tarpey, the observer at meetings for so many years, and Nigel Willmott, former Chair of the Board in relation to Keith Holder's knowledge, experience and role as recorded in the minutes.

Keith Holder was held in high regard and everyone at the time felt that the deal would collapse without his expert knowledge and experience of having run the place for so many years -he had also been driving the development and transfer process. It is against this backdrop that the Board at the time resolved not to terminate Keith Holder's services and requested that he should be retained as a consultant and to train and provide support to David Loudfoot.

Now I turn to your questions;

1. Can you confirm that you attended a meeting between 'Kassam' the General Manager and yourself on Wednesday 11th April 2007?
 - What was the purpose of that meeting?
 - Were any notes of the meeting retained?
 - What decisions were reached?
 - What would you summarise as the outcome of that meeting?

I believe this meeting did take place and notes were as usual taken by Keith Holder. On this occasion, I believe it was to discuss secondment of staff and Kassam's proposals for running

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the Palace. I can confirm KH took notes of all our meetings but did not produce them. The outcome was that KH and Kassam would continue and finalise matters.

2. Can you confirm that you had subsequent telephone discussions with 'Kassam' over the weekend of the 13/14th April 2007?
- Who initiated these phone calls and what was there purpose?
 - What decisions, if any, were reached?
 - What would you summarise as the outcome of those telephone discussions.

I seldom received calls from Kassam. Keith would normally phone me if there were any issues. Kassam did phone to confirm the discussion he had with KH about the Licence. We concluded that I would check with KH.

3. Can you confirm that you had discussions with 'Ormrod' on Monday 16th April 2007?
- What was the purpose of that discussion?
 - Were any notes of the discussion retained?
 - What decisions were reached?
 - What would you summarise as the outcome of that discussion?

I can confirm that I met and had discussions with Sean Ormrod on Monday 16th April as well as with the marketing staff who filled me into how they were being treated and had been for years. I had had several discussions with Mr Ormrod, KH and David Loudfoot. I was aware that there were issues between them regarding management styles, operational issues and how staffs were treated by KH and DL. I did meet with the staff as stated who felt that they had never been to the third floor of the building unless asked by KH and DL -they had never had staff meetings and 'felt bullied' and 'undermined'. They were grateful for my visit which was the first time ever a member or Chair of the Board had met with them.

4. Were you involved in any of the discussions with the Trust's legal advisors on the 17th April 2007?
- What were those discussions?
 - What was the content of their advice?
 - What conclusions were reached?

I do not recall being involved in any discussions with the Trust's legal advisors on 17th April regarding the licence.

5. Did you receive the briefing note (Chairs Briefing Note – April 2007) on the 17th April and can you confirm that your email system acknowledged this receipt some minutes later?

25/11/14

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I received the note in question.

6. Is the briefing note supplied by Keith Holder (attached) the same as the one you received on the 17th April?

I presume so.

7. If so do you accept that the briefing note is clear officer advice that:

(Please respond to each of these in turn)

- 'Kassam' had 'no easy escape' from the transfer arrangement
- That 'Kassam' would be challengeable for non performance if he did withdraw
- That no 'methodology' was available to 'Kassam' which would allow him to 'get out'
- That a possibility existed that the whole 'I want out' scenario might simply be a mechanism to launch an inducement argument
- Caution should be exercised
- That there do not appear to be any grounds for a 'rushed decision'
- That any decision to financially assist 'Kassam' would generate public opposition and that any assistance would have to be restricted to some legitimate expense prior to transfer. This latter course having the danger of non recovery being exposed by the liquidator.
- That the process is on track to deliver and that no further action is necessary at this point other than to keep 'a watchful eye' on progress.

I noted the contents of the note and took no further action bearing in mind that KH and Kassam had discussed matters prior.

8. In your interview you stated that you could not recall having any briefings on the licence. Why did you not feel it was pertinent to raise this briefing at that time?

I confirm that I did not receive any particular briefing/s nor discussions regarding any of the proposed changes to the licence and profit or loss implications.

9. Can you confirm that, following the briefing note, you contacted Keith Holder and 'made it clear' that the arrangements with Firoka were not to be jeopardised?

I did not contact Keith Holder to 'make it clear' to him as stated. Keith later informed me that the licence could be novated along with the staff on secondment for a limited period Given APTL's financial position. See his appendix 2 dated 1 August 2007. (I attach a copy of the Written Resolution of the Directors). I wondered at the time why he felt it could now be done. He asked when it should be done by and whether it should be done

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prior to the Group AGM and I remember saying 'if it can be achieved'. He did not however explain why he changed his mind though.

10. Can you confirm that you had discussions with other senior politicians who had agreed that Firoka could operate on the same basis as the lease? If so, whom?

Yes, Councillor Meehan as Leader of the Council. I checked everything out with him before actioning and prior to informing my Labour colleagues as our objective was to transfer the risks. I believe the Chief Executive was going to telephone Keith following my discussion with Councillor Meehan.

11. Did you brief other Members of the AP&P Board before the meeting on 24 April 07 on the substance of KH's briefing paper to you? or copy/show it to other Board Members?"

No, I did not as KH was now progressing matters contrary to his note.

12. Can you confirm that, at meetings in October and November, you referred to such discussions with politicians accordingly?

This is correct.

13. Keith Holder's briefing note suggests that the Leader of the Council, although aware of the licence arrangement, was not aware that this included the retention of profits

This is also correct. As stated in 8 above, there were no discussions or briefings about profit share or loss percentages.

14. Keith Holder implies that he was instructed to produce the report that went to the Board on 24th April 2007. Did you see your discussions with him as an instruction? If not, how would you describe them?

Certainly not. KH advised that it would not be prudent to prepare a full report and that what was needed to progress the secondment and licence was to have a brief outline to the meeting for approval as he felt that the information (within a report) could be leaked as has often been the case.

15. Did you instruct David Loudfoot and Ken Harington to sign the licence?

No, I did not. In fact, following the Board meeting on 24th April, I cannot recall having any further discussions with officers at the Palace regarding any change/s to the licence or

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progress. (I was not aware of who signed it or when it was signed as I thought KH was dealing with all matters).

16. Keith Holder agrees that he was present at that meeting? Did he offer any advice to David Loudfoot and/or Ken Harington at that time?

I cannot comment as I was not present at the signing.

17. Keith Holder alleges that the response from Firoka to many of the difficulties in resolving disputes on the licence was that 'Cllr Adje agreed the detail and will confirm our view'. This is clearly contrary to many of the points raised in our interview. Do you continue to maintain that you had no involvement in the detail of the licence either in its composition or in the discussions with Firoka that led to the licence and its terms?

I confirm that I did not have any detailed discussions with Kassam about the Licence nor did I have any involvement in the detail or composition of the Licence. If I did, I would certainly know the details and confirm same but I did not and still do not. I have not seen the licence and do not know what it looked like before or now. Everyone deferred to Keith as the font of all knowledge as far as these matters are concerned. Keith led on all the negotiations. On the issue of the comments by Firoka, I would ask why Keith did not check / corroborate this with me. This is the first I have heard of this statement. I cannot fathom why Keith would suggest that he was instructed or pressurised to complete the Licence by 4th or 5th May when as you both know deadlines can and are often missed. If Keith was having difficulties with Kassam why did he not report back or call me as he often had done? Whenever there had been issues or problems with Kassam, Keith would phone me or ask for a meeting. I would then speak to Cllr Meehan depending on the issue at hand. I received no such calls during the Licence negotiations from either Keith or David Loudfoot.

I would also like to know why, if legal advice or Counsel opinion were sought they were not provided to me or the Board prior to completion. It was Keith who called and advised me to continue as the Chair of APTL after my Group's AGM despite my concern about possible potential conflict. He said that there was no conflict and that it was only for a short period as the transfer to Firoka would soon be complete and the company wound up. He felt it was too much trouble to go through the process of completing forms to change directors and signatures. Just so that you know, Keith did thank me for letting him run the business without any interference. He said he was very grateful and appreciated it. I am very disheartened and disappointed at his current stance. I feel rather let down.

Key Dates

| | |
|-----------------------------|---|
| 11 th April 2007 | Meeting takes place between Firoka, Cllr. Adje and Keith Holder |
| 14/15 April | Alleged telephone discussions between Cllr. Adje and Kassam take place |
| 16 th April | Understanding that draft charity commission order is about to be approved. |
| 17 th April 2007 | Keith Holder emails Cllr. Adje briefing note on potential for Firoka withdrawal apparently on Cllr. Adje's request. |
| 24 th April 2007 | Report produced and tabled to board meeting of APPT |
| 1 st May 2007 | Keith Holder commences consultancy contract David Loudfoot commences as General Manager |
| 4 th May 2007 | Licence signed and becomes operative a few days later |
| 1 st August | Licence expires Meeting of APTL takes place |
| 5 th October | Judicial Review Successful |
| 10 th October | Meeting of APPT takes place to consider Judicial Review Outcome |
| 21 st October | Meeting between APPT officers and Firoka to consider options for way ahead |
| Early November | Meeting between officers of LBH and APPT to consider Firoka requirements |
| 7 th November | Legal Advisor to Trust receives first sight of copy of licence |
| 15 th November | Meeting between Officers and Members of LBH and APPT to consider strategy |
| 26 th November | Chief Executive meets with Firoka |
| 27 th November | Director of Corporate Resources receives copy of licence |
| 5 th December | APPT takes decision to revoke |