

Chairmans e-mail of 10 May 2017

" Dear STACC Member,

Further to my recent email (which Frank circulated to everyone on May 2nd), I have given the above matter some further thought.

Part of the response to Mr Belcher's Question which I read out at the STACC meeting in April was factually inaccurate. Contrary to what I said, I accept it is true that some years ago STACC did indeed involve itself in the land compensation issues to which Mr Belcher referred. It is only in my ten years as Chairman that the Committee (although still rightly concerned about the matter) has taken a less proactively detailed interest than before. I apologise for this error and have amended the response accordingly as below.

As I said in the May 2nd email, I still feel that the rest of the response I made to Mr Belcher's Question was reasonable and for ease of reference, here again is the reason I mentioned in the email: "...I personally still think what I read out was reasonable and would have fairly represented the views of a majority of the Committee. In my experience, unless one is very well informed of the details of such complicated matters and also appreciates the often complex law involved then, however tempting it is, it is not wise to make judgements oneself about any obligations other people should or should not have - moral or otherwise....." I have therefore revised the response to correct the inaccuracy and have left the remainder of the response as I read it out at the meeting. I have called this Option A and, again for ease of reference, I have set this out below. I hope this response is now acceptable to a majority of members.

After the STACC meeting, two members mentioned a slight concern about the nature or tone of the response I had read out. Because of the lack of consultation with members before the meeting (see now below the proposal for a preferred consultation method in future), I have also drafted an Option B response for members to consider. The only difference to Option A is in the wording of the last paragraph.

I would be grateful if you could each let Frank know by the end of May at the latest which of the two revised response Options you would prefer to see made. If Frank has not heard back from you by that date, I shall assume you are content with Option A - the response amended simply to correct the factual inaccuracy.

Looking to the future, I think it would be better practice in similar circumstances for the Chairman to do as I suggested in the last paragraph of the email of May 2nd. Again for ease of reference, here is what I said: "It would be better for a draft response to be circulated to Committee members for their views as soon as practicable after such a question is submitted to Frank. If a majority Committee view can be reached by the time of the STACC meeting, then it can be read out in the usual way. If more time is needed, then the Chairman should indicate the need for more time at the meeting and should use the provision in our Constitution whereby an answer is not given at the actual meeting but is given instead as soon as is reasonably practicable afterwards." When I wrote this I didn't have the Constitution to hand and I now see that where an answer or statement is to be made after the meeting, it should be (according to Paragraph 2 g of the PQT Section) 'within ten working days of the Committee meeting at which the question or statement is asked or made'.

Here are Options A and B for you to consider:

OPTION A

"I am not an executive chairman in the sense of a chief executive officer. I simply chair these meetings and oversee the work of the Committee. In this response therefore, I can only seek to express what I believe would be a view commanding the support of a majority of the Committee.

STACC was initially instrumental in forcefully drawing attention to the growing concern of people affected by the kind of land compensation issues to which Mr Belcher refers. In more recent years, while still concerned about these issues, STACC has not thought it appropriate to be involved in any negotiations about compensation claims or related matters of law concerning any interest of an individual or group of individuals including the resolution of any one claim or set of claims.

STACC's more recent focus of concern has been that there should be a purposeful process for resolving these matters and that the process should be conducted as expeditiously as possible given what obviously is a very intricate, complex matter and the understandable concerns of the individuals affected. STACC has been pleased to note that within the last year or so, the pace towards resolving these complex matters does appear to have quickened.

Because STACC has not recently been involved in the detailed substance of the overall subject, the particular issue referred to in Mr Belcher's Question is not one on which the Committee can usefully comment. STACC would expect however that the individuals affected and their advisers have considered whether in the position outlined and believed to be accurate by Mr Belcher, the legal principle of estoppel and its implications might apply. Whether this principle or any moral obligation referred to by Mr Belcher might apply is a matter rather for STAL and the company's advisers to consider".

OPTION B

(This is the same as OPTION A but with a slightly different last paragraph as follows):

"Because STACC has not recently been involved in the detailed substance of the overall subject, the particular issue referred to in Mr Belcher's Question is unfortunately not one on which the Committee can make much useful comment. STACC would expect however that the individuals affected and their advisers have considered whether in the position outlined and believed to be accurate by Mr Belcher, the legal principle of estoppel and its implications might apply. Whether this principle is seen to apply or not, STACC hopes that STAL will see its way to doing the right thing by those people adversely affected by the land compensation situation brought about as a consequence of the company's actions. I will also suggest to the incoming Chairman that this matter should be kept regularly under review".

Once again, I apologise for the initial inaccuracy, hope the above resolves the matter and look forward to seeing you at my last meeting as Chairman on June 28th.

Best wishes,

Stewart"