
From: Lenton-Smith Colin [/O=ICL/OU=UKSOUTH FEL01/CN=RECIPIENTS/CN=LENTON-SMITHC]
Sent: Mon 16/12/2002 5:08:13 PM (UTC)
To: 'Monaghan Iain' [REDACTED] **GRO**
Subject: RE: Settlement of disputes

Iain, there is no definitive date written into a document. But I believe it would be reasonable for the balance of the licence fee to be payable when Network Banking has been fully deployed - a useful back stop event would be NB Acceptance achieved.
Colin

-----Original Message-----

From: Monaghan Iain [mailto:[REDACTED]] **GRO**
Sent: 16 December 2002 16:51
To: Lenton-Smith Colin
Cc: Tony Oppenheim (E-mail)
Subject: RE: Settlement of disputes

Colin

This looks right - Tony's recollection was that the figure payable in respect of WebRiposte was around £1m.
When is the £971K payable?
Iain

-----Original Message-----

From: Lenton-Smith Colin [mailto:[REDACTED]] **GRO**
Sent: 16 December 2002 16:38
To: Monaghan Iain
Subject: RE: Settlement of disputes

Iain,

1. would you explain your view with the position is on the WebRiposte Licence - you talk about the outstanding payment. If we are talking along the same principles that a balance of the WebRiposte licence fee is due, then in my view the original value of the licence fee was:
£2,650,000.00

from which PO have made the following payments:

Invoiced 21 Dec 2000	\$1,000,000	(£ 678,518.12)
Invoiced 1 April 2002	£1,000,000	(£1,000,000.00)

Balance	£ 971,481.88
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2. re credit note: The caveat to CCN 1019 states:

"PO Ltd and the Contractor agree that on approval of this CCN1019 the further conditions set out in the letter sent to Mike Hannon (POL) from Colin Lenton-Smith (Pathway) on 13/09/2002 entitled "Lost Data and Audit Trail" as amended by the subsequent exchange of emails between the above dated 30/09/02 in respect of the settlement figure (applicable to condition 3) shall apply. "

The settlement figure is £150,000 which is to be applied as a credit against charges for new business through future CCNs.

-----Original Message-----

From: Monaghan Iain [mailto:[REDACTED]]

GRO

Sent: 16 December 2002 13:24
To: Lenton-Smith Colin
Cc: Oppenheim Tony
Subject: RE: Settlement of disputes

Colin
Thank you.

I attach a copy of the revised draft of the CCN. I haven't yet amended para 7.1 in line with your comments but I should be grateful if you could also have a look at the drafting note for para 8 and let me have some wording to go into Annex D of Schedule 10 to cover the outstanding payment on WebRiposte and the credit note.

Are you aware of any other payments which are not referred to in the CA itself or in a CCN which we need to cover here?


Many thanks
Best regards
Iain

Iain Monaghan
Partner, I&T

dd: 
fax:
m:

-----Original Message-----

From: Lenton-Smith Colin

[mailto:

Sent: 16 December 2002 13:04

To: Monaghan Iain

Cc: Oppenheim Tony

Subject: Settlement of disputes

Iain, as per your voice mail I set out below the dispute topics that may be resolved through CCN 1100.

I am happy to discuss with you before these are put to Post Office.

BIMS incidents: FS letter dated 13 September 2002 sets out our position, namely:

Case Law Nos 4&5 FS offer to settle at £9,075.00

Case Law No. 6 FS not willing to accept liability.

Service Levels: FS letter dated 29 August 2002 (PO response 13 Sept 2002)

re:

CCN 851e Rectification Plan

Transaction times services levels

AP Smart Card - Security Keys ; FS letter of 23 August 2002 in response to PO letter 7 August:

FS maintains that event be categorised as HSH service matter in accordance with para 4.3 of G10

OBCS Failure - 8 November 2001 - Case Law No. 9; PO letter of 13 September 2002 in response to FS letter of 22 January 2002;

PO Claim for £22,524.13. Detail of claim still under discussion.

Other issues to note:

CR R181 - should no longer be relevant with Contract Amendment

Previous A2As should no longer be outstanding, the final one in respect of Internal Service levels was dealt with in para 2.9 of Schedule G10.

WebRiposte report: Requirement in letter dated 31 December 2001 for FS to produce report. FS view that Contract Amendment now supersedes requirement.

Lost Data and Audit Trail: Matter closed by letter and exchange of email - referred to in CCN 1019 (and caveat thereto), approved - Changes to Schedules A16 and A02 in respect of data storage.

This one might be contentious:

C R Booth vs Consignia plc; it is FS position not to meet Consignia legal costs in respect of this claim; this is irrespective of any settlement between FS and the Claimant that may or may not take place.

Regards

Colin

Colin Lenton-Smith
Director, Commercial and Finance

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