

Mr Mike Wakley
Post Office Limited
Celtic Court
Tremaines Road
BRIDGEND
CF31 1TZ

Alan Bates
The Wool Post
Craig-y-don Post Office
Queens Road
LLANDUDNO
LL30 1AZ
15th May 2003

Reference: Losses and Gains

Dear Mr Wakley

With regard to your letter dated 2nd May 2003, I presume the Terms and Conditions of my Contract of Service you refer to are those I acknowledged on the 31st March 1998 and not 31 March 2003 as stated in your letter.

You refer me to section 12 of that contract "The Subpostmaster is responsible for all losses caused through his own negligence, carelessness or error, and also for losses of all kinds caused by his Assistants. Deficiencies due to such losses must be made good without delay." You rightly point out that I have agreed these terms and I can confirm I would gladly make good any losses caused in these manners. But I can see nothing in this clause which states that I am also liable for data I am unable to check.

Taken to an extreme, if the Horizon system said I owed £1,000,000 you would say I would have to make good the loss without delay and without question.

There is no way I will agree to be held responsible for data I have input until such time as I am able to access the data that I am being asked to be responsible for. In trying to state that I have acknowledged such things in the Terms and Conditions of my Contract of Service you are in effect purporting to vary this contract.

As we are talking about matters contractual I would also draw your attention to item 4.5, and reference is also made in item 4.4 of the Conditions of Appointment for Craig Y Don Sub Post Office included in the Contract of Service. This relates to the National Lottery playstation which was already installed and operational when we took over the business. The Post Office removed the machine at the end of January 1999 despite all my protests both written and verbal about the loss of revenue they were going to cause me, about how it had been part of my business plan revenue projection, of how we had doubled the turnover of the terminal in the few months we had been in office. I presume the Post Office will now be returning the terminal to us and making good the loss of income we have incurred during the period we were without the terminal.

Finally, in respect of an issue I raised with you in my letter dated 3rd December 2003, namely recovering the financial shortfall from the private side of our business due to Post Office Limited's actions. Our accounts are currently with the firm of Chartered Accounts we use, who are preparing a statement on the level of shortcomings we have incurred. It will be significant and we will be looking to recover that lost income swiftly. In the meantime I would appreciate it if you would ascertain to whom the correspondence should be directed, in order to minimise the delay in meeting our claim. Or would it be better to address it to you?

GRO

Alan Bates, Subpostmaster Craig-y-Don Post Office