

1.925  
1-22-92 7081





Mr A Bates  
Subpostmaster Craig y Don  
2 Queens Road  
Craig y Don  
LLANDUDNO  
LL30 1AZ

Cownteri Swyddfa'r Post Cyl  
Post Office Counters Ltd

16 July 2001

Dear Alan

Cash Account Loss £1041.86

I have received correspondence from the Management Information Support Duty in Birmingham advising me that they now require repayment for the loss of £1041.86 currently held in Table 2a of your Cash Account.

Unfortunately neither the visits from Selwyn Berry and Ki Barnes nor the pension & allowance checks carried out for the problematic weeks, revealed specific reasons as to how the resultant loss of £1041.86 initially occurred.

I would therefore appreciate if, as a matter of some urgency, you could advise me of your proposals to now make good the loss.

Yours sincerely

**GRO**

Gerry A Hayes  
Retail Network Manager

Cownteri Swyddfa'r Post Cyl  
Post Office Counters Ltd  
Gogledd Cymru a Gogledd Orllewin Lloegr  
North Wales and North West  
43 Denhol Road  
Bangor  
Gwynedd LL57 1AA  
Ffôn: 01248 373344  
Ffôn Ffacs: 01248 373300

Post Office Counters Ltd  
Gogledd Cymru a Gogledd Orllewin Lloegr  
North Wales and North West



11

Mr A Bates  
The Subpostmaster  
Craig-Y-Don Post Office  
21, Queens Road, Craig-Y-Don  
Llandudno, Conwy  
LL30 1AZ

06 March 2002

Dear Mr Bates  
Re: Aged Shortage - Horizon Case Write-Off



"an essential part of everyday life" [www.postoffice.co.uk](http://www.postoffice.co.uk)

OFFICE: Craig-Y-Don SPSO      OFFICE CODE: 461 614

First of all I would like to apologise for the length of time it has taken to resolve this matter. It has been necessary to formulate a consistent approach for all such cases.

Post Office Ltd has received from you a short report setting out your reasons why you do not accept liability for the shortage of £1,041.86p at your post office.

After due consideration of the facts surrounding the loss and of your report, Post Office Ltd has decided to take no further action in respect of the loss at your post office which will be written off. This decision has been made without prejudice to Post Office Ltd's rights to recover any future losses at your post office for which you may be liable under the contract for services and does not affect any future liability you may have for such losses.

To enable me to monitor progress for all such losses could you please complete the section on the next page. Once the loss for £1,041.86p has been cleared from your suspense account, you must return the whole letter to me in the self addressed envelope provided. (A copy of this letter is enclosed, for retention at your office).

If I do not receive a reply from you by 22 March 2002 then it will be necessary for me to contact you to ascertain what the delay is.

Page 1 of 2  
Mike Wiatrowicz  
Management Information  
86 Lionel Street  
Birmingham B3 1HQ  
**GRO**

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London EC1Y 8LIQ

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Page 2 of 2  
Re: Repayment by Deduction from Remuneration

Thank you for your co-operation in this matter

**GRO**

Mike Wiatrowicz  
Management Information Support



Post Office Ltd  
Finance  
Management Information  
Lionel House  
86 Lionel Street  
BIRMINGHAM B3 1HQ

Telephone  
Facsimile:

**GRO**

E-mail: mike.wiatrowicz

**GRO**

Craig-Y-Don SPSO

461 614

I have received a Write Off Authority Voucher to the value of  
£1,041.86p which has been cleared from my suspense account on  
(date)..... and the voucher has been cleared in the  
appropriate manner in cash account week number.....

Signature .....

Datestamp

Print Name .....







2A

**IN-CONFIDENCE**

Mr A. Bates  
Subpostmaster  
Craig Y Don Post Office  
21 Queens Road  
Llandudno  
LL28 4PS

Celtic Court  
Tremains Road  
BRIDGEND  
Mid Glam  
CF31 1TZ



14<sup>th</sup> April 2003

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"an essential part of everyday life" [www.postoffice.co.uk](http://www.postoffice.co.uk)

**Reference: - Losses and Gains**

Dear Alan,

Further to our conversation, you confirmed that you have been rolling over losses and gains for the past two years or more. I was unaware of this practice taking place at Craig Y Don and acknowledge your comment that you wrote to the Post Office regarding Horizon, losses and gains over two years ago and that to date you have not received any reply or acknowledgment.

I am now instructing you, that with immediate effect, you are required to make good the outstanding loss and to cease with this current practice of rolling over any losses and gains.

Please be advised that Subpostmasters are responsible for all losses caused through their own negligence, carelessness or error and also for losses of all kinds caused by their assistants. Deficiencies due to such losses must be made good without delay. With regard to gains, surpluses may be withdrawn provided that any subsequent charge up to the amount withdrawn is made good immediately.

Thank you

Yours sincerely

**GRO**

Mike Wakley  
Retail Line Manager

Swyddfa'r Post Cyf, Wedi'i Gofrestru yn Lloegr. Rhif: 2154540  
Swyddfa Gofrestredig: Tŷ Gavrelle, 2-14 Bunhill Row, Llundain EC1Y 8HQ  
Mae Swyddfa'r Post a symbol Swyddfa'r Post yn nodau masnach  
i Swyddfa'r Post Cyf yn y Deyrnas Gyfunol ac mewn gwledydd eraill.

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Celtic Court  
Tremains Road  
BRIDGEND  
CF31 1TZ

2 May 2003

Mr A Bates  
Craig y Don Post Office®  
21 Queens Road  
Llandudno  
LL28 4PS

Tel: No.

GRO

Fax No.



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"an essential part of everyday life" [www.postoffice.co.uk](http://www.postoffice.co.uk)

Dear Mr Bates,

**RE: LOSSES AND GAINS**

Thank you for your letter of the 16 April 2003, the content of which has been noted.

Nevertheless, I must point out that you are Bound by the Terms and Conditions of your Contract for Services, which was acknowledged by you on the 31 March 2003, when accepting your appointment.

To this effect you are charged with ensuring that all accounts entrusted to you are kept in the form prescribed by Post Office Ltd, by using the approved accounting system i.e Horizon, and therefore, in the event of any losses occurring these should be made good without delay (Section 12, paragraph 4, Section 12, paragraph 12 refers).

Accordingly, failure to comply with these obligations can be construed as a Breach of Contract, which could ultimately put your Contract for Services 'at risk'.

/ /

Swyddfa'r Post Cyl, Wddin Gofrestruwyd Nigymig a Moca Rhif 2154540  
Swyddfa Gofrestruwyd 80-86 Old Street, Llundain EC1V 9NN  
Mae Swyddfa'r Post a symbol Swyddfa'r Post yn nodu'r masnach  
i Swyddfa'r Post Cyl yn y Ddeddf Cynulliad a'r Cynulliad Cymunedol

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I would therefore, request that you acknowledge the content of this letter within 10 days of its date of posting, confirming that your accounts are being maintained in the correct fashion. Which would also include adhering to the proper procedure in respect of making good your losses, as per your Contractual Obligations.

Yours sincerely,

**GRO**

**MIKE WAKLEY**  
Retail Line Manager

To: **MIKE WAKLEY**  
Retail Line Manager

- I note the contents of this letter and confirm that my accounts are being maintained in the correct fashion

Signed: .....

Date: .....



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  
15<sup>th</sup> May 2003

**Reference: Losses and Gains**

Dear Mr Wakley

With regard to your letter dated 2<sup>nd</sup> May 2003, I presume the Terms and Conditions of my Contract of Service you refer to are those I acknowledged on the 31<sup>st</sup> 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 3<sup>rd</sup> 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**

ter Craig-y-Don Post Office





**IN CONFIDENCE**

Mr A. Bates  
Subpostmaster  
Craig Y Don Post Office  
21 Queens Road  
Llandudno  
LL28 4PS

Celtic Court  
Tremains Road  
BRIDGEND  
Mid Glam  
CF31 1TZ



4<sup>th</sup> June 2003

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“an essential part of everyday life” [www.postoffice.co.uk](http://www.postoffice.co.uk)

**Reference: - Losses and Gains**

Dear Alan,

I have carefully considered the explanations offered by you in your reply of 15<sup>th</sup> May 2003, about your failure to make good losses as required under the terms of your contract for services, Section 12 Paragraph 12 refers. However I do not consider that these explanations justify your continued failure to make good such losses. I feel therefore that I must give you a final opportunity to comply with the terms of your contract for services.

The letter you received from Mike Wiatrowicz, Management Information, Birmingham dated 6<sup>th</sup> March 2002, clearly stated:

‘After due consideration of the facts surrounding the loss and of your report, Post Office Ltd has decided to take no further action in respect of the loss at your post office which will be written off. This decision has been made without prejudice to Post Office Ltd’s rights to recover any future losses at your post office for which you may be liable under the contract for services and does not affect any future liability you may have for such losses.’

Swyddfa'r Post Cyf. Wedi'i Gofrestru yng Nghymry a Lloegr. Rhif: 2154540  
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You must clearly understand that unless you comply with these terms and make the losses good immediately and cease the practice of rolling over losses and gains, I will have to seriously consider the termination of your contract for services by means of three months notice.

Please sign and note one copy of this letter and return to myself at the above address by Friday 13<sup>th</sup> June 2003.

A second copy is enclosed for your retention.

Yours sincerely

**GRO**

Mike Wakley  
Retail Line Manager  
Post Office Ltd

To: **MIKE WAKLEY**  
Retail Line Manager

- I note the contents of this letter and confirm that my accounts are being maintained in the correct fashion

Signed: .....

Date: .....



Private and Confidential

Mr A. Bates,  
The Chocobox,  
Carmen Sylva Road,  
LLANDIDNO,  
Conwy  
LL30 1EQ

21 July 04  
8 Aug  
21 Sept  
24 Nov  
26 Jan 05

16

21<sup>st</sup> May 2004

Dear Mr Bates,

FORMER SUBPOSTMASTERS ACCOUNT  
CRAIG Y DON POST OFFICE  
FAD CODE: 461/614

I am writing to you regarding the repayment of deficiencies found in the accounts of Craig Y Don Post Office whilst you were sub-postmaster.

The sum of £1407.38 is due to Post Office Limited to clear the account.

I have enclosed attached a copy of the statement of errors detailing how this amount is made up.

As you are liable to make good any losses incurred during your term of office it would be appreciated if you could forward a cheque for the full amount made payable to Post Office Ltd, or submit your realistic proposals for repayment of the debt to the address below.

Should you have any queries regarding this account you can contact me at the address shown.

A prepaid envelope is enclosed for your convenience

Yours sincerely,

**GRO**

Clive Burton  
Agents Debt 3 / Former Sub Postmasters Accounts,  
No 1 Future Walk  
Chesterfield  
S49 1PF

Telephone Number: **GRO**

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Private and Confidential

Mr A. Bates,  
The Chocobox,  
Carmen Sylva Road,  
LLANDIDNO,  
Conwy  
LL30 1EQ

21<sup>st</sup> May 2004

Dear Mr Bates,



**FORMER SUBPOSTMASTERS ACCOUNT**  
**CRAIG Y DON POST OFFICE**  
**FAD CODE: 461/614**

I am writing to you regarding the repayment of deficiencies found in the accounts of Craig Y Don Post Office whilst you were sub-postmaster.

The sum of £1407.38 is due to Post Office Limited to clear the account.

I have enclosed attached a copy of the statement of errors detailing how this amount is made up.

As you are liable to make good any losses incurred during your term of office it would be appreciated if you could forward a cheque for the full amount made payable to Post Office Ltd, or submit your realistic proposals for repayment of the debt to the address below.

Should you have any queries regarding this account you can contact me at the address shown.

A prepaid envelope is enclosed for your convenience

Yours sincerely,

**GRO**

Clive Burton  
Agents Debt 3 / Former Sub Postmasters Accounts,  
No 1 Future Walk  
Chesterfield  
S49 1PF

Telephone Number: **GRO**

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**FOSACS** Former Subpostmasters Accounts

Page: 1

**STATEMENT OF OUTSTANDING DEBT**

As at: 21/09/2004 10:24

Name: MR ALAN BATES

Office: CRAIGYDON

Code: **GRO**

Appointed: 07/05/1998

Account closed: 05/11/2003

Reason Left: Other

Reg Papers:

<u>Error Date</u>	<u>Error Type</u>	<u>Charges</u>	<u>Allowances</u>
05/11/2003	Final Cash A/c balance	1,227.61	

**OTHER ERRORS**

22/10/2003	GIROBANK ERROR		50.00
05/11/2003	PROMOTIONAL VOUCHERS	24.30	
01/10/2003	TRAVEL INSURANCE	20.00	
05/11/2003	1ST RATE CURRENCY SERVICE	36.99	
05/11/2003	PENSIONS & ALLOWANCES	45.95	
15/10/2003	PENSIONS & ALLOWANCES	102.53	

***Actual Balance Outstanding***Due To SPMR Due From SPMR

1,407.38



Private and Confidential

Mr A Bates,  
21 Queens Street,  
Craigydun,  
Llandudno,  
LL30 1AZ.

21<sup>st</sup> September 2004

Dear Mr Bates;



FORMER SUBPOSTMASTERS ACCOUNT  
CRAIGYDON POST OFFICE  
FAD CODE: 461/614/6

I am writing to you regarding the repayment a deficiency found in the accounts of Craigydun Post Office whilst you were sub-postmaster.

The sum of £1,407.38 is due to Post Office Limited to clear the account.

I have enclosed attached a copy of the statement of errors detailing how this amount is made up.

As you are liable to make good any losses incurred during your term of office it would be appreciated if you could forward a cheque for the full amount made payable to Post Office Ltd, or submit your realistic proposals for repayment of the debt to the address below.

Should you have any queries regarding this account you can contact me at the address shown.

A prepaid envelope is enclosed for your convenience

Yours sincerely,

**GRO**

Clive Burton  
Agents Debt 3 / Former Sub Postmasters Accounts,  
No 1 Future Walk  
Chesterfield  
S49 1PF

Telephone Number: **GRO**

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REMINDER

Private and Confidential

Mr. A Bates,  
21, Queens Street,  
Craigydun,  
Llanddudno,  
LL30 1AZ

24<sup>th</sup> November 2004

Dear Mr Bates,



FORMER SUBPOSTMASTERS ACCOUNT  
CRAIG Y DON POST OFFICE  
FAD CODE: 461/614

I wrote to you on 21<sup>st</sup> September 2004 regarding the repayment of a deficiency in the accounts at Craig Y Don Post Office whilst you were Sub Postmaster.

As we have received no reply from you to date I have to remind you of your legal liability to make good any losses incurred during your term of Office.

Would you now kindly give this matter your urgent attention and forward a cheque for £1,407.38 made payable to Post Office Limited or, alternatively, submit your realistic proposals for repayment to the address below within the next 14 days.

Should you have any queries regarding this account you can contact me at the address below.

I have enclosed a prepaid envelope for your convenience.

Yours sincerely,

**GRO**

Clive Burton  
Agents Debt Team 3/ Former Sub Postmaster Accounts  
No 1 Future Walk  
Chesterfield  
S49 1PF

Telephone number

**GRO**

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Private and Confidential

Mr. A. Bates,  
21, Queen Street,  
Craigydon,  
Llandudno,  
LL30 1AZ



www.postoffice.co.uk

26<sup>th</sup> January 2005

Dear Mr. Bates,

FORMER SUBPOSTMASTERS ACCOUNTS  
CRAIG Y DON POST OFFICE

I am writing to you for payment of £1,407.38 being the sum you owe in respect of accounting errors found in the accounts of Craig Y Don Post Office during your term in Office.

As you are no doubt aware, as subpostmaster you are responsible for all losses caused through your own negligence, carelessness and error and also losses of all kinds caused by your assistants and deficiencies due to such losses must be made good without delay. Furthermore your duty to make good all shortages does not cease upon leaving Office and, therefore, I must ask you to forward a remittance in payment for the total sum of £1,407.38 within 14 days from the date of this letter.

I have previously written to you on 21<sup>st</sup> September 2004 and again on 24<sup>th</sup> November 2004 requesting repayment of the above sum but to no effect.

In the circumstances, if you fail to comply with this request within the prescribed limit, legal proceedings will be issued against you forthwith to recover the sum due together with interest and cost of such action without any further reference to you.

I trust that such action will not be necessary and I look forward to receiving your payment or your proposals in repaying this sum within the next 14 days.

Yours sincerely,

**GRO**

C. W. Burton,  
Post Office Limited,  
Agents Debt Team 3/ Former Subpostmasters Accounts,  
No 1 Future Walk,  
CHESTERFIELD  
S49 1PF

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The Post Office and the Post

**GRO**

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Catherine Churchard LLB  
Solicitor & Legal Services Director

13 April 2005



Mr A Bates  
21 Queens Street  
Craig y don  
LLANDUDNO  
LL30 1AZ

Legal Services  
Impact House  
2 Edridge Road  
Croydon  
CR9 1PJ

Our ref: LIT/248629/MD  
Your ref:

Tel: 020 8681 9246  
Fax: 020 8681 9365  
Mobile:

Dear Sir

**Re: Craig-y-Don Post Office**

We have been instructed by Post Office Ltd in relation to an outstanding debt owed by you to Post Office Ltd of £1,407.38.

The claim relates to deficiencies in the accounts of Craig-y-Don Post Office while you held the office of Sub Postmaster under a contract for services with Post Office Ltd.

Under the contract for services you are responsible for all losses occurring as a result of the acts or omissions of yourself or your assistants. Deficiencies due to such losses must be made good without delay and your responsibility for the losses does not cease when your appointment as Sub Postmaster finishes.

You are, therefore, contractually liable to repay to Post Office Ltd the sum of £1,407.38. We should therefore be grateful if you would let us have your proposals for repayment of the sum due.

Unless we hear from you within 14 days from the date of this letter, we will seek Post Office Ltd's instructions in relation to the issue of proceedings against you in the County Court for recovery of the sum due. If proceedings are issued against you and Judgment obtained, you will also be liable to pay interest on the sum due and solicitors costs.

We trust this will not be necessary and look forward to hearing from you within the next 14 days.

Yours faithfully

**GRO**

Marilyn Drawwater  
Legal Executive  
Litigation Division

marilyn.drawwater

**GRO**

© Royal Mail 2002 - Page 1 of 1



Private and Confidential

Mr A Bates,  
21 Queens Street,  
Craigydun,  
Llandudno,  
LL30 1AZ.

21<sup>st</sup> September 2004

Dear Mr Bates;



FORMER SUBPOSTMASTERS ACCOUNT  
CRAIGYDON POST OFFICE  
FAD CODE: 461/614/6

I am writing to you regarding the repayment a deficiency found in the accounts of Craigydun Post Office whilst you were sub-postmaster.

The sum of £1,407.38 is due to Post Office Limited to clear the account.

I have enclosed attached a copy of the statement of errors detailing how this amount is made up.

As you are liable to make good any losses incurred during your term of office it would be appreciated if you could forward a cheque for the full amount made payable to Post Office Ltd, or submit your realistic proposals for repayment of the debt to the address below.

Should you have any queries regarding this account you can contact me at the address shown.

A prepaid envelope is enclosed for your convenience

Yours sincerely

**GRO**

Clive Burton  
Agents Debt 3 / Former Sub Postmasters Accounts,  
No 1 Future Walk  
Chesterfield  
S49 1PF

Telephone Number: **GRO**

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FOSACS Former Subpostmasters Accounts Page: 71

## STATEMENT OF OUTSTANDING DEBT As at 24/09/2004 10:24

Name: MR ALAN BATES  
Office: CRAIGSDON Code: GRO  
Appointed: 07/05/1998  
Account closed: 06/11/2003  
Reason Left: Other Reg: Papers

Error Date	Error Type	Charges	Allowances
05/11/2003	Final Cash A/c balance	11227.61	

## OTHER ERRORS

22/10/2003	GROBANK ERROR		50.00
06/11/2003	PROMOTIONAL VOUCHERS	28.30	
01/10/2003	TRAVEL INSURANCE	20.00	
05/11/2003	1ST RATE CURRENCY SERVICE	36.00	
05/11/2003	PENSIONS & ALLOWANCES	45.95	
15/10/2003	PENSIONS & ALLOWANCES	102.53	

Actual Balance Outstanding	Due to SPMR	Due from SPMR
		1407.88



Private and Confidential

Mr. A. Bates,  
21, Queen Street,  
Craigydun,  
Llandudno,  
LL30 1AZ



www.postoffice.co.uk

26<sup>th</sup> January 2005

Dear Mr. Bates,

FORMER SUBPOSTMASTERS ACCOUNTS  
CRAIG Y DON POST OFFICE

I am writing to you for payment of £1,407.38 being the sum you owe in respect of accounting errors found in the accounts of Craig Y Don Post Office during your term in Office.

As you are no doubt aware, as subpostmaster you are responsible for all losses caused through your own negligence, carelessness and error and also losses of all kinds caused by your assistants and deficiencies due to such losses must be made good without delay. Furthermore your duty to make good all shortages does not cease upon leaving Office and, therefore, I must ask you to forward a remittance in payment for the total sum of £1,407.38 within 14 days from the date of this letter.

I have previously written to you on 21<sup>st</sup> September 2004 and again on 24<sup>th</sup> November 2004 requesting repayment of the above sum but to no effect.

In the circumstances, if you fail to comply with this request within the prescribed limit, legal proceedings will be issued against you forthwith to recover the sum due together with interest and cost of such action without any further reference to you.

I trust that such action will not be necessary and I look forward to receiving your payment or your proposals in repaying this sum within the next 14 days.

Yours sincerely,

**GRO**

C. W. Burton,  
Post Office Limited,  
Agents Debt Team 3/ Former Subpostmasters Accounts,  
No 1 Future Walk,  
CHESTERFIELD  
S49 1PF

**GRO**

