

The Rt. Hon. Lord Dyson,
Chairman of New Bermondsey/Surrey Canal Independent Inquiry,
39 Essex Chambers,
81 Chancery Lane,
London,
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6 December 2017

Dear Lord Dyson,

We have studied your report into New Bermondsey with considerable care and attention and our decision to write to you has not been taken lightly. However, the extent of our surprise, dismay and frustration at some of your comments and conclusions has led me to believe that it is right for me first to articulate my views directly to you.

I am particularly mindful of your statement: *"It is not for me to express a view about the morality or political wisdom or desirability of allowing Renewal to carry out the development. That would clearly be outside my terms of reference."* (clause 417). Therefore, I will mainly restrict my commentary to those areas where we believe the facts to be incorrect and/or distorted or where we believe the conclusions you have drawn are inconsistent with the information that has been presented.

1. The positioning of MFC in your inquiry

Much of the report and some of your conclusions give the impression that the controversies over the New Bermondsey development have been essentially between MFC on the one hand and Renewal and Lewisham Council on the other. Your report leaves us with the sense that there has been a trial in which MFC has been found entirely guilty while the other two parties are exonerated.

Many of the criticisms and complaints registered by MFC were reinforced by other people, indeed some originated elsewhere. This is not adequately reflected in your report. While you do acknowledge the concerns of the OSPB, you make little mention of members of the community, Millwall supporters (over whom MFC has no control), media other than The Guardian and also other members of Lewisham Council. With regard to this last point, Councillor Brenda Dacres, who was leader of the Lewisham Labour Group in September 2016, spoke publicly at the M&C meeting in September 2016 to ask cabinet members not to approve the CPO resolution. She said she spoke on behalf of a large number of Labour councillors who had met on 5 September 2016, two days before the M&C meeting. Of the 25 Labour members who attended that meeting, 22 voted in favour of a motion to oppose the use of CPOs and the remaining three abstained. MFC played no role in that meeting and has never had direct contact with many of those councillors.

Although you make it clear that the catalyst for investigation was The Guardian newspaper articles, your summary and conclusions seem to focus mainly on rejecting MFC's evidence. I might point out that alleged false funding claims on the part of SCSF and the implications of the LSH sales brochure were first highlighted in the media and were not complaints made by MFC. MFC input its views and evidence to you on both of those matters at your request but that was long after the issues had come to the fore.

2. Reputational damage to Millwall Football Club and CHV

In clause 68 of your report, you publish a letter from Mushtaq Malik to Mayor Bullock on 16 January 2013. We have never seen that letter before and I am shocked by some of its content. Putting aside the cynical nature of the attempt to persuade the Council to back Renewal and exclude Millwall, the letter contains the following statement:

"Any agreement with MFC is meaningless as the Club could be placed in administration at any time. A parent company guarantee from CHV is similarly pointless as Renewal would not seek to enforce it against a company registered in Delaware, US (nor would Lewisham)." (clause 68)

This is now in the public domain and could have a negative bearing on the prosperity and the operation of MFC. The suggestion that it could be placed in administration at any time may cause fear and consternation among business partners and employees, as well as current and potential players. At no stage did you mention this letter to me, nor have you made any attempt to check the veracity of the information contained in it. The irony of Mr Malik, whose parent companies are based in two offshore tax havens where transparency is singularly lacking, persuading the Council not to do business with a company registered in Delaware will not have been lost on you.

Furthermore, I should point out that a month before that letter was written, my colleague Demos Kouvaris had a breakfast meeting with Mayor Bullock at which he gave him a considerable amount of detailed financial information on CHV, including audited financials.

I have been the principal shareholder and Chairman of Millwall Football Club for more than a decade. In that time I have invested over £50 million of my family money in the Club and its community. I take great exception to the comments made by Mr Malik and cannot comprehend why you saw fit to publicise them without any discussion with me first. You were perfectly entitled to decide that there would be no Maxwellisation Process prior to the publication of your report. But had there been, we would have had an opportunity to engage privately with you on precisely these significant points before any harm could be done in the public domain.

3. Significant errors of fact

Regrettably, we consider that there are some.

3a *"I should add that all the witnesses who accepted my invitation to attend were at liberty to have the benefit of the presence of legal representatives when I asked them questions. The Renewal and MFC witnesses took advantage of this." (clause 31)*

I led the MFC team that attended your oral hearing and know very well that we had no representative from our legal advisers at Eversheds. I understand that you mistakenly classified Andrew Barrow as a solicitor – an assumption reinforced by the wholly erroneous statement later on in your report:

"On 15 August 2013, Mr Ambler and Mr Andrew Barrow (a property lawyer who was acting as consultant to MFC)..." (clause 79)

I am aware that Mr Barrow has written personally to you about this very important matter and that a correction has been agreed. I fear your information was sourced from the Fol Tribunal judgement which contains a number of factual errors and which will shortly be the subject of an appeal. I regard it as most unfortunate that you relied on it for some of your findings:

"I have found the careful reasoning of the First tier Tribunal of assistance to me in reaching my conclusions." (clause 150)

Much of the criticism of MFC by the First Tier Tribunal derives from its erroneous and unfounded belief that Mr. Barrow is (or was at the relevant times) a solicitor and so this is important not only to him but also to MFC. Reliance on the First Tier Tribunal judgement has inevitably led to the unfortunate duplication of errors. The Fol process is far from complete.

3b *"MFC eventually decided to abandon its development proposals at that stage and not to enter into a lease with the Council"* (clause 44)

This is untrue. Negotiations had reached an advanced stage and MFC was keen to proceed. LBL officers indicated that they were ready to seek formal approval from the Council, but they never did and then the Council unilaterally withdrew from the deal.

3c In your executive summary, you state:

"The M&C resolved not to proceed with the CPO until the outcome of the Inquiry was known." (clause 11 executive summary)

We note that Renewal have already publicly indicated that they are ready and waiting to proceed. Your assessment suggests that the CPO can continue from where it left off prior to your inquiry. This contrasts sharply with the public statement from the Council in February 2017:

"The September 2016 CPO decision has no force and cannot be implemented. Any regeneration of the area, proposed by anyone would require a completely new and fresh decision by the Council." (<https://goo.gl/pxVv2p>)

3d Your report says that Renewal is the only developer interested in the site and willing to undertake the development. It is a fact that we have had more than one serious approach from large, reputable developers who are interested in developing the site. However, the view of these developers is that Lewisham Council has entered into a surprisingly close relationship with Renewal to the extent that it has shut out any other developers. I thought we had made it clear to you in our account of the LSH brochure that there was alternative interest from potential developers, and indeed the account of that situation by LSH reinforces that point.

3e Clause 17 makes reference to MFC potentially losing its EFL Category 2 status because *"the sporting facilities provided at The Lions Centre would be replaced by facilities provided at Energize, which might be considered to be too far from the stadium to qualify for Category 2 status."* This is factually incorrect. Mr Kavanagh was made available to you to discuss this aspect but you chose not to enter into any such discussions to establish an accurate understanding of the Academy status rules and the reasoning as to why the scheme as proposed by Renewal potentially damaged the Category 2 status and the very existence of the Academy in Lewisham. As you will be aware this is an issue that greatly concerned the Council and yet it has not been explored and properly resolved in any way.

4. Conditional land sale agreement

In our submission, we emphasised the extent of our frustration that Lewisham Council and Renewal had repeatedly stated that Millwall had ample opportunity to bid for the land and could at any time have submitted a planning application. We explained to you why those two claims were false and misrepresented the situation. We showed you the letter from me to the Council on 16 March 2011 in which I wrote:

"If, however, the Council is minded to sell, I would merely repeat what was said at the January meeting, namely that, subject to contract, we would wish to buy the freehold interests in the land comprised in both leases. The Club has access to substantial additional

shareholders' funds and would be able to fund any such purchase and any subsequent development."

While you refer briefly to that letter, you do not make clear the extent to which I informed the Council that we would be willing buyers for our freeholds if they were to be sold. Just as importantly, your conclusions do not cover the fact that Millwall was told more than once by the Council that the freeholds would not be sold. You include that part of the letter dated 29 January 2013 from Mr Holmans to Demos Kouvaris including:

"8. At this stage, the Council envisages retaining its freehold interest in respect of the land leased to the Club required for the Renewal scheme..." (clause 69)

But that statement does not form part of your analysis or conclusion. Yet it is crucial in countering the criticism that we had failed to bid for our land. If the Council said they were not selling it, why would we bid for it? Furthermore, in our evidence we specifically pointed out to you that the Council's change of mind with regard to the sale of their freeholds was communicated to us on 6 September 2013 (after business hours on a Friday evening when there was no match the following day), just three working days before the resolution of M&C to sell the freeholds to Renewal.

Likewise, your conclusions do not take proper account of the fact that we presented our revised proposals for developing the Millwall land in August 2013 and the Council resolved to sell that land to Renewal the following month. It is true that the Council said that they would require further details of our development proposals, but they never gave us an opportunity to provide them.

The context that I describe above is critical to the claims that we had no plans and had made no bid for the land, yet you have repeated and reinforced those claims.

We read in your report that Lewisham cabinet members were aware that Millwall wished to buy the land and that the Club had revised its development plans:

"Of course, MFC was not aware of Appendix 4 and, therefore, cannot be criticised for making a complaint which was not well-founded. Anyway, M&C was well aware of the fact that MFC wished to acquire the Millwall Land. The point was made in Appendix 4 that, if the Council was to consider any proposals by MFC, details would have to be provided; and that at the time of writing the report, no such information had been provided and no offer had been made by MFC to purchase the Millwall Land." (clause 105)

"In any event, the members of M&C were aware that MFC had produced such a scheme." (clause 106)

Of course, we do not know how specifically the information was provided. What I can tell you is that on 9 February 2017, cabinet member Councillor Paul Maslin tweeted: *"As far as we can judge Millwall have no plans."* On the same day he also tweeted, *"You can't call 4 rudimentary pages a serious scheme."* The Mackay Scheme runs to 66 pages and represented a serious investment by the Club in its plans for the future.

How can we have any confidence in your assertion that the decision makers at Lewisham Council were adequately informed of our intentions and ambitions when a cabinet member (who voted in favour of the CPO on 7 September 2016) comments publicly in such a sure-footed but wholly inaccurate manner?

5. PwC's due diligence on Renewal

We continue to feel strongly about this and regard it as a material point.

I remain astonished that you have felt able to endorse the officers' assessment in 2013 that *"...on the balance of probability, Renewal do have the funds to complete the land sale."* (clause 126)

In the same document, officers wrote:

"The findings of the PWC report are extremely limited due to restricted information provided to them and therefore does not provide assurance at this stage that Renewal are in a financial position to deliver the scheme."

"...the information provided has not provided conclusive evidence of its [Renewal's] financial standing and has only provided limited insight."

Is it consistent with the code of conduct for officers to dabble in *"the balance of probability"* on such a significant issue? Surely M&C members should have challenged the officers' conclusions if they had read PwC's caveats? Furthermore, I find it extraordinary that officers were allowed to justify their *"balance of probability"* assessment with the reassurance that *"Ultimately, the sale will not complete unless the funds are received."* No sale can complete if the funds are not received and local authorities ought not to be offering to sell their freeholds to buyers whose ability to pay is uncertain.

Nevertheless, the Millwall land was conditionally sold to Renewal thereby effectively blocking MFC from proceeding with its plans. It is no wonder that nothing has been built so far.

I should remind you that you also state in your report:

"Renewal did not have sufficient funds as at 31 December 2015 to fund either the short-term or long-term financing needs of the project. It had always represented that future funding would come from the shareholders of IHL and IAI and that this funding would be debt in nature and not equity." (clause 186)

In your report, you state:

"MFC makes the specific allegation that the officers' report failed to make it clear that PwC had been unable to do a due diligence review. It is true that neither report uses the phrase "due diligence"." (clause 282)

In the officers' report to M&C on 7 September 2016, it is stated:

"9.12 In September 2013, at the point of recommending to the Mayor that the Council enter into the Conditional Land Sale Agreement, Officers noted that the recommendation for the CPO resolution would not be brought forward until such time as "full financial due diligence has been undertaken and officers are satisfied that Renewal Group Limited has a viable business plan and funding strategy to deliver the scheme." "

We pointed out to you that PwC's report of August 2016 for the September M&C meeting explicitly stated: *"For the avoidance of doubt, the extent of financial due diligence on Renewal Group or its beneficiary shareholders and funders is at a desktop level only."* (page 4)

This is not mentioned in your report. However, you state in clause 121 that all the conditions for making a CPO had been met. If the officers' stated that full financial due diligence was a

condition – and it had not been carried out – that cannot be accurate. Desktop level due diligence cannot be regarded as full financial due diligence.

There are additional significant concerns relating to PwC's role and responsibilities which have not been examined in your report.

Paragraph 172 refers to the "advice" provided by PwC. Based on the scope of services we have seen in PwC's terms of reference letter, there was no provision for PwC to provide advice sufficient to support the case for a CPO. Surely PwC's role and responsibilities have been incorrectly characterised?

In paragraph 182, you state "On 26 August 2016, PwC produced their final draft report on Renewal's overall ability to deliver the scheme (including its ability to fund the development)." Again, surely this is a misrepresentation of PwC's role which puts the onus on PwC to be responsible for the decision rather than the council's own decision makers? This is an important factor in any consideration of the process by which a CPO was approved.

6. The impact of Strutt & Parker on the CPO decision on 7 September 2016

You will recall that we had not seen the Strutt & Parker report when we provided our original submission in June 2017. You sent it to us in advance of our oral hearing. We emphasised to you that we regarded it as an important issue in our written follow up to the oral hearing:

"Our own adviser, CBRE, has now had a chance to look at the Strutt & Parker report and make a provisional assessment. He points out that the Strutt & Parker numbers are predicated on the original 2013 Mackay Scheme, notwithstanding the fact that updated numbers were provided to Strutt & Parker when they met with MFC's representatives in 2016. CBRE also have serious questions about Strutt & Parker's residual appraisal and point out that many of the key assumptions on which the Strutt & Parker appraisal is based are plainly wrong. We have a letter from CBRE confirming this. And yet this hitherto secret report has been quoted selectively by Council officers to support the CPO proposal and used to denigrate the Mackay Scheme."

Since the Council used the Strutt & Parker report as a key argument in favour of adopting compulsory purchase powers, I am extremely disappointed that you chose to ignore this evidence.

I would further highlight that your report sheds light on the fact that David Ashworth had been directly involved in New Bermondsey in 2014. We were not aware of that. Mr Quirk stated publicly that he would appoint an independent consultant to look into the New Bermondsey situation in 2016. He appointed David Ashworth.

7. Surrey Canal Sports Foundation

The key allegation was that the SCSF was claiming funding of £2 million from Sport England and you indicate that it was this issue which led to the decision to establish your inquiry. Your report publishes Renewal's apology that it continued to make those claims long after Sport England had requested it cease to do so. Your report confirms that false funding claims were made – more than once – yet apparently, these misdemeanours amount to nothing more than "an unfortunate oversight" and merely "regrettable"! (clauses 330 and 331)

The Council deemed the false funding claims serious enough to allocate significant sums of Lewisham taxpayers' money to initiate an independent inquiry.

The claim that funding was in place for Energize was made repeatedly by Renewal and by officers who evidently did not check the facts that were provided to them by Renewal and/or the SCSF.

In our evidence to you, we wrote the following:

"The other pledges referred to include commitments from OnSide Youth Zones and Greenhouse Sports. It is our understanding from information that has been published that neither of these organisations has pledged funding. Yet in the November 2014 Housing Zone Bid, OnSide Youth Zones are described as the "anchor operator".

According to OnSide's website, its funding model requires ongoing financial support from the local authority. It states that the "cost of building and fitting out a Youth Zone is in the order of £6 million. £3m is provided by the Council, with the site provided by the local authority and the remainder made up of grants, trusts funding and local philanthropic giving."

There is no evidence that Lewisham Council has made any provision to provide a capital sum to OnSide of £3 million, neither do we believe that LBL has approved an ongoing annual commitment to OnSide of some £400,000 per annum which OnSide's website indicates is the usual requirement:

<http://www.onsideyouthzones.org/what-we-do/funding-a-youth-zone/>

The Council's claim in the Mayor and Cabinet papers of 17 February 2016 that funding of £23.5 million is in reach is not detailed but it is stated that "capital contributions" from OnSide and Greenhouse form part of that total."

None of this is mentioned in your report yet the total of funding claims relating to OnSide and Greenhouse amounted to considerably more than those relating to Sport England. We do not know the full story behind these claims and, since it has been proposed that our Academy and community scheme might be accommodated in Energize, we have a vested interest in learning the facts. We hoped to find them in your report. Was it not part of your remit to consider the veracity of LBL's claim in the Mayor and Cabinet papers of 17 February 2016 that funding of £23.5 million was in reach and that "capital contributions" from OnSide and Greenhouse formed part of that total?

8. LSH Brochure

The simple issue here was whether or not any attempt had been made by IHL, one of Renewal's shareholders, to sell some or all of the site. You reiterate the views of Barry Quirk that it is extremely important to get to the facts:

"...as Mr Quirk explained in his statement to the Inquiry, this revelation was of potential significance to the M&C's CPO decision because Renewal had advised officers and members that they had no intention to sell the site, so the potential existence of a sales brochure could have undermined their credibility." (Clause 371).

The details of your investigation which you publish appear to confirm that during April/May 2015 the site was being offered to potential purchasers. When LSH came to draft the mandate for IHL to approve on 12 June 2015, they defined at least part of their activity around the sale of the site. This is not surprising because, according to your account in clauses 384 and 385, IHL had confirmed on 28 May 2015 LSH's appointment on a mandate to carry out activities that were detailed in a letter from LSH to Mr Ranjan on 8 May 2015. You have published part of that letter which includes:

"We will review a range of scenarios with potential investors, including outright acquisition, acquisition of IHL's shared holding, JV structures, partial investment in later stage option structures." (clause 384)

IHL confirmed "outright acquisition" as part of the remit at that time. Evidently the remit was amended at a later date but the purpose of the investigation – first by Council officers and then by you – was surely to establish whether or not IHL had at some point offered the site for sale? Your inquiry indicates that they had, via authorised agents.

Rather than confirm that fact, you move to consider whether or not the officers carried out their investigation appropriately. It may well be that they did, but apparently they did not alight on the key fact that a shareholder in Renewal was investigating the potential sale of the site – a matter which Mr Quirk said would throw doubt on the credibility of Renewal.

Furthermore, you pose the question:

"I have therefore considered whether there is any evidence on the material available to me to suggest that the Council was misled by Renewal in this respect." (clause 401)

You do not appear to answer your own question.

I must also add that your analysis of the relationship between Renewal's two shareholders merits some comment from a businessman:

"IHL had no obligation to inform IAI or Renewal that it was exploring options for potential investors and it seems entirely plausible to me that it did not inform Renewal or IAI at the early stages in its search for investors... This context adds to the credibility of Renewal's position that it was unaware of IHL's instruction of LSH." (clause 412)

Lewisham Council is engaged in an exclusive partnership for the development of a large site with a property developer whose two 50/50 shareholders may not necessarily communicate with each other and might explore alternative commercial deals without informing the other. Lewisham Council and its taxpayers should regard that as a very unsatisfactory and unstable situation.

Finally, I refer you to your own analysis:

"If Renewal had in fact been trying to sell its interest in the Site before the development had begun (or early on), this might well have affected the attitude of the Council to agreeing to use its CPO powers to support its scheme. Renewal had portrayed itself as a developer committed to the redevelopment of the Site. It would have mattered if it had planned to make a quick profit by selling at the outset or at an early stage of the development. It would have mattered to the Council reputationally." (clause 223)

9. Key facts that were overlooked

I wish to draw your attention to these two:

9a *"Mr Ashworth met Mr Malik on 31 July 2014 to try to persuade him to provide evidence of Renewal's financial standing that was acceptable to the Council in order to satisfy the pre-conditions for a CPO that were set at the meeting of 7 March 2012. Mr Malik was adamant that there was no need to provide financial information at that stage. He said that his commitment to the project was demonstrated by his investment in the Site on which he had spent many millions of pounds. This should provide sufficient certainty for the Council. Mr Malik's obduracy did not help his cause at that time. It fueled (sic) the suspicions of those at the Council who were opposed to Renewal and its scheme." (clause 171)*

Given that due diligence issues, the transparency of Renewal and allegations that Renewal was withholding information were at the heart of many of the complaints, I am dismayed that you merely report this without critical analysis.

9b *“On 17 February 2016, officers submitted a report to M&C saying that all the pre-conditions for the making of a CPO that had been set on 7 March 2012 had been met and recommending that the Council use its CPO powers. This report was withdrawn from the committee on legal advice following receipt of a letter from Shoosmiths, solicitors acting for four owner occupiers, who said that the impact of a CPO on them had not been properly assessed and the necessary human rights balancing/proportionality exercise had not been properly carried out.” (clause 178)*

Throughout your report, you have praised the Council's officers for the quality and thoroughness of their work. Yet you offer the above facts without critical analysis. The officers informed M&C that the pre-conditions for making a CPO had been met. Apparently, they had not. Is this not a clear example of officers misinforming Council members? I am not saying that it was necessarily deliberate misinformation.

I might also add that this was a very significant moment. Had that Shoosmiths letter not been sent, it is very likely that the CPO resolution would have been passed on 17 February 2016. I am proud to tell you that Millwall funded the legal representation by Shoosmiths for our neighbours in the community. Had we not done so, the private individuals whose lives could be so detrimentally affected by a much larger opponent would have been unable to protect their interests and livelihoods. I am sorry that your report pays such little attention to their position and complaints.

Millwall has fought hard to protect its interests over the last few years. You have emphasised the extent to which Lewisham Council want us to remain in their community and you have expressed the hope that your report might bring peace and calm to a troubled situation. Sadly, I doubt that it will. Lewisham Council's bold words about their affection for Millwall have not been backed up by their actions. Your report makes that abundantly clear.

You have applied a distinctly judicial definition of impropriety which has precluded you from assessing and reaching conclusions about many of the key matters that have concerned the man in the Lewisham street who hoped and expected that you would consider the relationships between the Council and Renewal, and their behaviour towards each other and towards MFC. Critical observers of Lewisham Council's actions over the last few years with regard to New Bermondsey have seen a Labour Council offer exclusivity and favourable terms to a private property developer whose parent companies are registered in offshore tax havens and whose founders were previously senior and influential people within the Council. In the wake of stories about secrecy and tax evasion in domiciles such as the BVI, the national Labour Party has declared that, if elected, it will ban public bodies from awarding contracts to private businesses registered in offshore tax havens. Lewisham Council has tried to put up a smoke screen by declaring that many property developments benefit from overseas funding – which is very different from funding out of offshore tax havens – and that Renewal is the only possible developer for this potentially lucrative site, which is quite untrue.

Concerns among the community have focused not so much on impropriety, but rather on appropriateness. The appropriateness of the decisions and actions of a local authority and its attitude towards, and treatment of, local people and its resident professional football club.

I am sorry to say that your report comes as a great disappointment to the very many people in and around Lewisham who anticipated your views on the real issues, rather than your technical assessments from the judicial high ground. There are a number of important questions that, in my view, should be answered if the public is to feel any satisfaction that their concerns have been adequately taken into consideration, including:

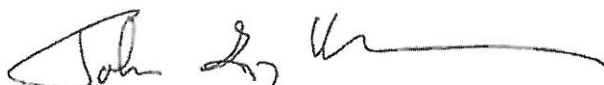
1. Your report publishes some correspondence and information that we have never seen before. In clause 68, you publish a letter from Mushtaq Malik to the Mayor in which he states: *"Accompanying this letter I have provided transcripts of all material correspondence between ourselves, the Club and its owners dating back to November 2006 as evidence of exhaustive negotiations."* Have you reviewed all of that correspondence? We should like to see it and are happy to offer all of the correspondence from our own files to ensure completeness and corroboration, given that Mr Malik apparently selected only what he regarded as *"material"*.
2. Have you verified that Lewisham Council advertised the sale of the Millwall land in a local newspaper in accordance with the requirements of the Local Government Act 1972?
3. My colleagues and I are astonished to read in clause 143 that MFC's *"position throughout negotiations has been that the Council should "gift" the Council's land to support the fragile financial viability of the Club"*. I should like to know where the notion of "gifting" the land came from and whether you have adequately verified a statement that we simply do not recognise? It is certainly true that we offered to undertake the development of the Millwall land and share the profits with the Council. But that is rather a different point.
4. What separate due diligence has been undertaken on the Surrey Canal Sports Foundation and the viability of the Energize sports centre? The SCSF is not legally part of Renewal but the Energize project is crucial to Renewal's scheme. I am concerned that it has not been taken into consideration.
5. Have you looked into the likelihood of the SCSF successfully raising £40 million? Are there any relevant examples of charities securing such large amounts of funding in recent times? What due diligence has been done on the £10 million Energize land value pledge from Renewal?
6. Council officers reported to M&C that very significant amounts of money had potentially been raised by the SCSF. Did they not mislead cabinet members? Pledges of £23.5 million appear in the officers' report to M&C of 7 September 2016 which supported recommendations to M&C that they should approve the use of CPOs – a decision which they took.
7. More than once in your report, you refer to the New Bermondsey site being a risky development because of high level railway embankments, the presence of our football stadium and the car park. Have you verified any of those claims? It does not tally with our experience in speaking to experienced and reputable developers for whom the lack of cooperation between Renewal, MFC and LBL has been cited as the principal negative.
8. Did Lewisham Council provide you with an adequate budget to pursue all lines of investigation?
9. Has Renewal contributed to the funding of your inquiry?
10. Were you given adequate time to pursue all lines of investigation?
11. Were you prevented from investigating any matters that you considered worth exploring?

12. Was Lewisham Council given an opportunity to review your report before it was published?
13. If so, were amendments made to your report?
14. Was an indemnity bond to cover the Council's exposure in CPO ever put in place and what diligence was done to determine its adequacy?
15. In paragraph 198, it is stated "*...if the shareholders decided not to fund the scheme, traditional debt funding would be available to Renewal to satisfy the maximum deficit that would arise during the course of the project*". What measures were taken and what evidence was verified to support that statement?
16. What tangible evidence was provided to ascertain that Renewal would have the funds to ensure the delivery of the project? The information contained in your report indicates that there was no substantiation of this crucial requirement.
17. What qualifications and/or evidence does Councillor Smith have to state that no developer starts with enough money to complete a project?

Over the past decade, Millwall Football Club has helped fund and fight the campaign to stop the closure of A&E at Lewisham Hospital, opted to put a charity on our shirts rather than accept sponsorship from a payday lender and has been a substantial funder of the Millwall Community Trust which we set up and which bears our name. You do not seem to have a very high opinion of us and I am afraid that I sense an unconscious bias towards Lewisham Council and Renewal from start to finish in your report.

I look forward to hearing from you.

Yours sincerely,

A handwritten signature in black ink, appearing to read 'John Berylson', with a long horizontal flourish extending to the right.

John Berylson
Chairman
Millwall Football Club