



10 June 2009

Mr Roger Wantling
DBFO Manager
3rd Floor South
Lateral
8 City Walk
Leeds LS11 9AT

Dear Mr Wantling

Part 1 Land Compensation Act 1973
Your Ref: HA HA122/28/71

Thank you very much for your letter of 27 May re the above, and for confirming that we can make another Part 1 Claim for the Bramham to Wetherby section.

I should like to stress that we have never said that our claims have been inappropriately handled. We believe that the system has brought to light numerous anomalies, which do not make sense. In the circumstances, we also would like independent advice in regard to this matter. Would you therefore please advise me on how to put the matter before the Parliamentary Ombudsman for an independent adjudication.

I enclose a copy of the Yorkshire Post report about the Miners Compensation of which you are no doubt aware (as it is a local Yorkshire matter). Although the Miners Compensation Act and the Highways Act deal with different matters, the primary objective is the same - compensation to injured parties.

I would therefore like to proceed under the Freedom of Information Act and ascertain the fees paid to Lister Haigh and DTZ for each household in The Rowans, in order to find out if the Highways Act is producing the same kind of results mentioned in the enclosed Yorkshire Post cutting. Would you therefore please point me in the right direction, so that I can obtain this information under the Freedom of Information Act.

I know of cases where some residents having accepted the offers, wished on reflection that they had not done so.

I look forward to hearing from you.

Yours sincerely



A handwritten signature in black ink, written over a large, faint circular stamp or watermark.

Lawyers paid £20m to help ex-miners

By Frank Page 1

scheme which is far too much money. It's a chance for them to recover some of their sullied reputation.

"If they're getting paid an average of £2,000 per claim and the claim is worth a few pounds they should split their costs with the claimant and give them £1,000 which affords an element of dignity to the winner - many will be deceased - and still is a nice little cheque for the solicitor. Any decent solicitors would want to do that."

According to the official figures released by Government Minister Lord Hunt, the total paid in fees for the 698 claims worth up to £10 was £1,340,716 - even though the amount paid out in

compensation was less than £4,000.

And the 7,699 claims paying out up to £100 will have netted solicitors £19,301,378 but earned miners no more than £495,676. With the legal bill from the compensation schemes for chronic obstructive pulmonary disease and vibration white finger wearing £1.3bn, the *Yorkshire Post* revealed a list of the earnings of 100 law firms called this year, with three pocketing more than £100m each.

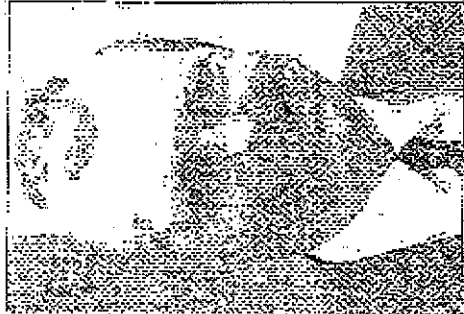
The Government, which agreed the fees at the start of the scheme, admits it was caught by surprise at the number of claims lodged. The decision has since been criticised by the Commons Public Accounts Committee.

Solicitors from several firms have been hauled before the Solicitors Disciplinary Tribunal amid claims that in some cases part of the compensation for miners was deducted by firms even though the Government was paying legal fees.

But figures released by Lord Hunt reveal for the first time how far some claims solicitors have been able to earn more than 2,000 times the amount the miner ultimately received.

Payments for vibration white finger - of which there are fewer - tended to be larger, with only six mines being under £100.

The Department for Energy and Climate Change said: "The sums paid reflect the number of claims handled."



LORD HUNT: Released official figures showing payoffs.

TOO many more people have been sacked from the social services department caught up in the Baby P scandal, Hartley says, could said last night.

Deputy director of children and families Cecilia Hitchen, social worker Maria Ward, team manager Gillie Johnston and head of safeguarding services Clive Preece were all dismissed.

A Hartley spokesman said Ms Hitchen was sacked for "loss of trust and confidence" following a damning Ofsted report in December last year. The others were sacked for gross misconduct.

Baby P, who cannot be named for legal reasons, was 17 months old when he died in Hartley, north London, at the hands of his mother, not boyfriend and their lodger, in August 2007.

Sharon Shoesmith, who was head of children's services at Hartley, was sacked last December.

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WORLD | WORD

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Your ref:

2499
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DBFO Manager
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Direct Line: [REDACTED]
Fax: [REDACTED]

29 June 2009

Dear [REDACTED]

ENVIRONMENTAL INFORMATION REGULATIONS

Further to your letter dated 10th June, and my initial response on the 18th June, I am writing to advise you that I cannot authorise the release of the details of the fees paid to Lister Hague and DTZ for each household in The Rowans. Having said this, I understand your desire to ensure that the process is being administered in accordance with the nationally accepted procedures. As such, I thought that it would help for me to clarify the process for dealing with Part 1 claims under the provisions of the Land Compensation Act 1973 on this particular scheme.

Under their contract, RMS is responsible for dealing with Part 1 claims on behalf of the Secretary of State. In turn, RMS has appointed DTZ to settle any Part 1 claims on its behalf in their capacity as the retained surveyors. As the Secretary of State's Representative, I have to endorse each agreement to ensure that the process has been executed professionally, and in a fair and reasonable manner.

Where a proposed agreement is disputed, I would always look to take professional advice from the Valuation Office Agency (VOA), who is an independent Government Agency. To avoid any doubts on this project, the VOA is monitoring all claims on my behalf and is providing me with an assurance that each claim is being handled properly.

With regards to the amount of compensation paid to each claimant, I can assure you that these amounts are unaffected by the fees received by the agents. The fees received by the agents for the whole scheme are consistent and are based on the nationally accepted Ryde's Scale plus 10% (please see attached table). Again, the VOA is monitoring the fees paid to the agents on my behalf to ensure that they are in line with the agreed scale of payments.

2.6

The Scale for Disturbance and for Severance and Injurious Affection in relation to Properties occupied solely as Private Dwellings (TABLE F)

Amount of compensation	For
£0-£249	£175
£250-£499	£200
£500-£749	£225
£750-£999	£250
£1,000-£1,999	£275
£2,000-£2,999	£300
£3,000-£3,999	£310
£4,000-£4,999	£320
£5,000-£5,999	£325
£6,000-£6,999	£330
£7,000-£7,999	£335
£8,000-£8,999	£340
£9,000-£9,999	£345
£10,000	£350
Next £40,000	1.50%
Next £250,000	1.00%
Remainder	0.75%

21 APR 2009

[REDACTED]
21 April 2009

[REDACTED]
Dear [REDACTED]

Part 1 Land Compensation Act 1973

I spoke to you in February 2009 about claims made under the above Act, and I explained that some residents (50%) of The Rowans had queries about how the offers have been computed.

You suggested that I contacted [REDACTED] of DTZ as they were dealing with the matter on behalf of the Highways Agency and RMS. I have been in correspondence with [REDACTED] but the residents still feel that the original queries raised by myself and others in letters to [REDACTED] (our agent) and DIZ have not been clearly addressed, and that they are being asked to agree to something that they have doubts about, and that cannot be right - can it?

I did write to my MP asking for the matter to be dealt with by the Parliamentary Ombudsman for independent assessment. He sent me a Highways Agency leaflet detailing how complaints are addressed - hence how my contact with you was established.

As we are dealing with public money, no doubt a system has been put in place to process claims. However, it is the variations in offers that the residents find so confusing. Some people feel that as Lister Haigh's fee is paid by public funds, and not as a percentage of our offer/sale (like estate agents), it means that there is no driving force to substantiate the offers from DIZ. It also raises the prospect that it is possible that some offers (4 less than £2000) to be below the fee received by our agents Lister Haigh, which cannot be what was intended by the Act. It brings to mind the recent cases of the Miners Health Compensation where sick miners received less compensation for industrial sickness than the standard £2000 fee paid by public funds to solicitors to act for them.

I can let you have copies of all the correspondence written and received by me if you wish. If this is not needed by you, could you please let me have the name and address of your Chief Executive, so that I may write to him in order to gain access to the Parliamentary Ombudsman.

Yours sincerely

[REDACTED]
