

Dear James,

Following our conversation yesterday I would update on the current position with Chilstone as follows:

Following the Counsel opinion received that we should try a negotiated settlement, Chilstone were contacted and the response received from them on 17th February commented on the evidence and reports we had commissioned and provided, and in the final para they conclude:

In light of the above we feel we cannot be held responsible for the problems that have occurred on this project. However, we see no benefit for all parties to continue back and forth with claims and counter claims. Therefore, without prejudice, we are prepared to enter into reasonable discussions on a way to resolve this matter on the premise that we are not at fault but do wish to reach a satisfactory compromise for all parties.

We replied agreeing to the principle of opening discussions to resolve and asking for details of the suggestions. I have chased a number of times and received only holding responses.

At the end of April they requested up to date images of the columns and damage so videos and photographs were sent.

Their contact, Steve Clark had been on extended personal leave but has now returned and his reply to my email of yesterday stated he had just returned and is reviewing the information.

There are still challenges ahead as it is likely any financial settlement, if that is their offer, may not be sufficient to replace the concrete units. Even if it were there would be the question as to whether that was an appropriate solution long term even if new units could be retro-fitted successfully.

Other alternative options, as yet undetermined, may need to be considered.

Regards

B J Whymark MSc FRICS C.BuildE FCABE