

28th July 2008

Our ref:R00050

Freedom of Information request – Questions relating to James Brathwaite

Thank you for your Freedom of Information Request, dated 7th July 2008 concerning James Brathwaite.

You sent this as a follow-up to questions you put in an email to Francesca Fogell on 30th June and to which I responded verbally in a telephone conversation with you on Friday 4th July.

Your request is:

Thanks for the information and quotes on Friday.

I am keen to get the information you have provided in writing.

On Friday, I should also have asked for your comments on the potential conflicts of interest and any comments Mr Brathwaite has made on his business interests.. I am aware that your comment covers this, but from the conversation it appeared that you have also looked into this in some detail. Could you provide me with this extra information?

A couple of points have also occurred to me since our conversation. I would appreciate if you could deal with these in your response.

Information requested

Below we have put in writing the answers given to you in your telephone conversation with me on Friday 4th July followed by the additional information requested in your email of 7th July. We have also added a response to your subsequent additional question, put in your email to Vivien Morgan on 21st July. Your questions are in bold.

Regarding business dinners, as I said, I have been told that these meals were paid for by Seeda. The dates are: August 4, 2006, October 5, 2006, and January 24, 2007. Were they? If so, how much was claimed?

SEEDA paid for a business lunch on August 4, 2006 as this was an introductory meeting to explore the work of a German based company involved in off site

manufacturing and SEEDA was interested in the future of off-site house manufacture. The cost of the lunch for 5 people was £178.48.

SEEDA did not pay for meals on October 5, 2006 and January 24, 2007.

Regarding the taxis/chaffeurs. From documents I have seen, these trips were paid for by Seeda:

For a trip to the Streif factory – OSM partners - in Germany on January 9, 2007, the chauffeur/taxi took James Brathwaite and his colleague David Craddock to Gatwick and picked them up. Can you confirm that this was paid for by Seeda?

SEEDA paid for the car journeys. SEEDA's agreed policy on car usage includes paying for journeys during which James Brathwaite conducts SEEDA work in the car.

For a meeting on April 22, 2008, at the Commonwealth Club with Jane Davidson, Welsh housing minister, Mr Brathwaite's secretary said Mr Brathwaite's chauffeur could pick up his business partner David Craddock "where you would like" because it wasn't being used. Did the offer refer to the Seeda car?

James Brathwaite has an arrangement with a local company to supply a driver and car to take him to a variety of meetings. SEEDA pays for those journeys which relate to SEEDA business. Had such an offer as described been made and accepted, SEEDA would not have paid the cost of the journey. And in fact, SEEDA has not paid for this supposed journey.

On September 28, 2007, the chauffeur drove Mr Brathwaite's and David Craddock's suits from Angmering to London for black-tie awards. OSM Homes was being represented there. Was this the Seeda chauffeur/taxi?

There is no SEEDA chauffeur/taxi. SEEDA did not pay for a journey from Angmering to London on that day.

For a meeting on June 6, 2007, with Clive and Stephen Russell of Consensus to discuss investment in OSM Homes, did James Brathwaite take Seeda-paid transport to Gatwick to catch a train and then a taxi, paid for by Seeda, to his meeting in London with Consensus?

This meeting with Consensus was a SEEDA meeting, attended by a SEEDA staff member. SEEDA paid for taxi journeys to get James Brathwaite to his meeting with Consensus because this was a SEEDA meeting.

Regarding potential conflicts of interests, I am looking for a response from Seeda on these matters. As I said before, we are keen to interview Mr Brathwaite about this.

On your request for SEEDA's comments on a number of questions you have raised, this is our statement, which has previously been emailed to you:

"It is a requirement for SEEDA to choose as its chairman a successful businessman like James Brathwaite, who has significant interests relevant to SEEDA's work.

Care is taken to ensure that there is transparency in all of the chairman's work. As far as SEEDA is concerned, none of the questions that you raised contravene this principle."

SEEDA's response to the additional questions in your email of 7th July is below:

On Friday, I should also have asked for your comments on the potential conflicts of interest and any comments Mr Brathwaite has made on his business interests. I am aware that your comment covers this, but from the conversation it appeared that you have also looked into this in some detail. Could you provide me with this extra information?

The Chairman has not made any comments on this issue. SEEDA has provided the statement copied above.

SEEDA's Code of conduct and best practice for Board Members requires that the Chairman and other Board Members declare any personal or business interest that may conflict with their responsibilities as Board members. They are required to list any direct or indirect pecuniary interest which members of the public might reasonably think could influence judgement. The Board Members' Register of Interests, November 2007 (available via the SEEDA website) lists James Brathwaite as a consultant to OSM Streif in accordance with this requirement.

In your earlier email dated 26th June to Francesca Fogell, you commented:

Most of the emails I have seen are from Mr Brathwaite's secretary, Mette Payne, who has the footnote "PA to James Brathwaite CBE Chairman of Seeda" on all her emails, even if they refer to private business.

The addition of this footnote to private business emails was due an administrative oversight. Mette Payne has confirmed that she has now removed it.

Below, we provide some additional detail in relation to four particular dates (from your email of 30th June) with regard to potential conflict of interest:

July 17, 2007: James Brathwaite's secretary sent a briefing note of foreign office meeting with Libyans regarding construction opportunities to David Craddock of OSM Homes. The email was originally sent to Mr Brathwaite. She says: "As it is you I thought I would just forward this email as it is"

The briefing note was circulated freely by e-mail by James Brathwaite's PA to a range of companies including the South East Centre for the Built Environment (a

consortium of construction businesses in the South East with around 1800 members whose running costs are part funded by SEEDA), to assist their overseas trade efforts. An introductory paragraph was put at the beginning of the email accompanying the briefing note to others. Since then, the South East Centre for the Built Environment has led a trade mission to Libya.

January 10, 2008: James Brathwaite organised a presentation from his business partners NGM at Seeda offices to pitch their floating homes for the Thames Gateway project. Senior officials from the Environment Agency and Government attended alongside David Craddock of OSM Homes.

The purpose of the meeting was to explore the potential for flood-resistant homes in the Thames Gateway.

April 22, 2008: James Brathwaite organised a meeting with Jane Davidson, Welsh housing minister, at the Commonwealth Club with business partner David Craddock. She has confirmed that she agreed the meeting on the basis that Mr Brathwaite was chairman of Seeda.

The meeting with Jane Davidson was not a SEEDA meeting.

July 20, 2008: James Brathwaite has organised a meeting with NGM and Consteco2 with the head of planning at Portsmouth City Council to discuss land development and flooding. In particular, the meeting is aimed at discussing plans for a residential development which has been withdrawn after the Environment Agency objected because of flooding concerns. The council has said that the meeting was organised as an "official Seeda meeting".

This was not a SEEDA meeting.

From our conversation, there appears to be two types of car service that Seeda uses, either a point-to-point taxi service or a car with a driver for the day. Is that right? If it is hired for the day, does Mr Brathwaite have to provide details of every journey that is carried out?

It is correct that James Brathwaite sometimes uses taxis, otherwise he uses a local company (Executive Cars) to supply a driver and car as and when required for specific journeys. James Brathwaite's PA Mette Payne gives instructions to Executive Cars for journeys for the forthcoming week defining which journeys are on SEEDA business and which are for private business.

Executive Cars send in two bills – one for SEEDA journeys and one for private business journeys. These bills detail separate journeys i.e. town to town. SEEDA checks the SEEDA bills against the diary kept by Mette Payne.

SEEDA pays only for those journeys which relate to SEEDA business or during which the Chairman carries out SEEDA business.

Regarding the trip to Gatwick and back in January 2007. Your response was that this was fine because Mr Brathwaite was working during the journey. Does this mean that the trip was not Seeda business?

Mr Brathwaite was working on SEEDA business during the car journeys to and from Gatwick and therefore SEEDA paid for these two journeys. The trip involving flights from and returning to Gatwick was not SEEDA business and SEEDA did not pay for the flights. Mr Brathwaite paid for his own flights.

In the case of the April 22, 2008, you said that there was no record of a trip for Mr Brathwaite's business partner. My question was actually whether the offer was for a lift in a Seeda-paid car. Was Mr Brathwaite using a Seeda-paid car that day? What trips were taken? If so, have you asked him or his secretary what the offer referred to?

Mr Brathwaite has not made any expense claims to SEEDA for use of a car on that day. No trips were taken on SEEDA's behalf therefore we have not asked him or his secretary what the offer referred to.

On September 26, 2007, you said that Seeda had no record of a trip from Angmering to London. Again, had Mr Brathwaite hired a car for the day? Was a return trip from London to Angmering recorded for the evening with the Arundel based firm used for taxi services?

We understand that the date (26th) in your question should have read 28th September. SEEDA has paid for car journeys for Mr. Brathwaite while on SEEDA business on 28th September 2007. Mr. Brathwaite made no claim for a car journey from Angmering to London on that day. Mr. Brathwaite claimed a car journey from London (where he was attending an event on behalf of SEEDA) to Angmering on that day.

As I mentioned before, it would be very useful to have Seeda's rules on car use.

In relation to the arrangements for the use of a car with driver by Mr Brathwaite, SEEDA reimburses travel costs of journeys on SEEDA business, including journeys between these meetings. When Mr Brathwaite is engaged in a meeting on behalf of SEEDA, the agency re-imburses the cost of travel to and from that meeting. SEEDA also reimburses the cost of car journeys when Mr Brathwaite indicates that he has conducted SEEDA business while en route, including making telephone calls and reading papers relating to SEEDA business.

SEEDA's response to the additional questions in your email of 21st July is below:

I also noticed that a new register of interests has been published while I was away. Can you tell me when this was compiled and published and when Mr Brathwaite declared the interest in Constreco2?

Mr Brathwaite declared his Constreco2 on 31st March 2008, noting that he had held this interest for one month. The register of Board members' interests as at 31st March 2008 was compiled between 31st March and 23rd May (the final declaration of interest having been received on 22nd May), when it was circulated for information to senior members of staff. The new register of interests was published on SEEDA's website on 30th June.