

Mr John Berylson  
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By email only: [jberylson@gccinv.com](mailto:jberylson@gccinv.com)

15 December 2017

Dear Mr Berylson,

### **New Bermondsey / Surrey Canal Independent Inquiry**

Thank you for your letter dated 6 December.

You have set out in great detail many complaints about my report.

I understand that you (and others) are disappointed that my terms of reference were restricted to the question of whether members and/or officers of the Council had acted improperly in relation to the matters set out at paragraph 21 of the report. Your main point seems to be that you and the community were more interested in the appropriateness of the Council decisions than the propriety of its members and officers in making them. But I made it clear from the outset when I published my opening statement that I would not be considering the appropriateness of the decisions.

In writing the report, I was careful to limit my findings and conclusions to my terms of reference. In doing so, I included some of the complex history and a certain amount of background material. Many of your complaints are about what I chose to include and not include as part of that history and background material. But none of that was material to my conclusions on the central issues that I had to decide.

In so far as your letter deals with those parts of the report that are directly relevant to those conclusions, it expresses disagreement with them in a number of respects. Many of the points that you make were made previously by you on the three occasions when MFC made representations to me (the initial written representations, the oral evidence and the further written representations).

I stand by my report, its findings and conclusions. You have had ample opportunity to put your case. I am not willing to answer your detailed criticisms.

I regret to say that I consider that your complaint of “unconscious bias towards Lewisham Council and Renewal from start to finish in your report” is without foundation. You complain in section 1 that I give the impression that the controversies have been essentially between MFC on the one hand and Renewal and the Council on the other. If the report gives that impression, that is because most of the detailed allegations of impropriety were made by MFC, whether by Eversheds, its solicitors at the time, or by you and your witnesses during the Inquiry. I felt that I had to deal with each of those allegations carefully and in detail.

The questions that you ask at the end of the letter fall into a number of categories, all directed at undermining the integrity of my report. I stand by my report as published and would emphasise that the Council was scrupulous in not seeking in any way to interfere with my independence or my ability to conduct the Inquiry as I saw fit.

Yours sincerely,



The Rt. Hon. Lord Dyson

cc. Mr Steve Kavanagh  
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