

RE: Putnam letter

BPD 6/3/1/20 PVI

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Plurality

From: [REDACTED]
Sent: 30 June 2003 12:53
To: 'Woolard Christopher (Mr CJ)'
Cc: Hewitt MPST; [REDACTED] RAMSAY ANDREW;
 BUSH BILL
Subject: RE: Putnam letter

We spoke before you set off for Grabiner. On the OFT, I think SoS at some point told Putnam that we would have to consult competition lawyers etc on the shape of a text - nothing more. Always wise to be wary of whatever he says...

When you get back please ring me about what follows:

TJ has now spoken to Putnam - he will push his amendment to a Division regardless of what we say. He will only accept a plurality test that makes absolutely sure News Corp can't buy Channel 5. He will also vote against us on C5, though not foreign ownership.

So we will make positive noises but are very likely to lose 2 votes on Weds. Not the end of the world. However, SoS and Andrew McIntosh are keen to resolve the plurality issue in the Lords if at all possible (even if that means overriding precedent).

This may or may not be politically possible but we need to make sure it's an option available to us in practical terms - am I right in thinking that we'd need to lay an amendment on Thursday if it were to be ready for 3rd Reading?

That's clearly a tight timescale, and further discussion will be needed over the shape of the amendment, making things even tighter. Both Ministers would like to see some kind of detailed drafting, with explanation, along the lines laid out in Stuart's submission, this afternoon - before they see Baroness Buscombe at 6.30. I would need to see something by 5? The work also needs to explain what the differences are between us and Putnam, based on your conversation this morning.

-----Original Message-----

From: [REDACTED]
Sent: 30 June 2003 10:28
To: [REDACTED]
Cc: Hewitt MPST; [REDACTED] RAMSAY
 ANDREW; [REDACTED] BUSH BILL
Subject: RE: Putnam letter

Just read this second - suggest [REDACTED] might come along.

[REDACTED] Has Putnam got the message that there is a gap between us? If not, it will not just a case of me having to

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be careful, but my position will be an impossible one. I can play this as trying to find common ground easily enough, but the way this was left with DP was that the Grabiner meeting was designed to understand what they were driving at better. Clearly DP is shifting the goalposts again. Incidentally, he rang me over the w/e to ask if we were having a problem with the OFT - I was as vague as possible, and said there were no problems, but that we obviously were talking to them as they had a strong interest in any amendment. I got the strong impression that someone may have used the OFT as an excuse and he was probing to see what was what. If people are going to use excuses like this, then obviously our lines need to be cleared - or DP directed to only deal with one person.

[REDACTED]
-----Original Message-----

From: [REDACTED]

Sent: 27 June 2003 19:31

To: [REDACTED]

Cc: mpst.hewitt@[REDACTED]

andrew.ramsay@[REDACTED]

bill.bush@[REDACTED]

Subject: Putnam letter

Importance: High

[REDACTED]
We spoke about this. I attach:

The draft letter we sent Putnam:

<<for dputnam 27.6.doc>>

The draft he wants instead:

<<putnam version.doc>>

Clearly there is a large distance between them - larger than he realises. My line to him was that we really didn't have the time before Tuesday to resolve the detail of this, and we should instead be sticking to agreeing a principle. His response was that we could get everything sorted with Tony Grabiner on Monday.

You're going to ring him. The message that he needs to get from someone soon (ideally Tessa this weekend) is that our differences are bigger than he realises, and we need time to consider our own form of test rather than swallowing his.

[REDACTED] you will need to be extremely careful when speaking to Grabiner on Monday. I suggest you take some other people with you - ideally some lawyers.