
From: Fitchie, Andrew
Sent: 19 April 2008 16:28
To: 'Graeme Bissett'
Cc: 'Gill Lindsay'
Subject: RE: Council Report


Graeme
Gill

So that this squares with the CEC Resolutions and the **tie**-CEC Operating Agreement, I would describe which contracts ie ***Infraco Contract, Tram Supply Agreement (and related novation agreement), Tram Maintenance Agreement (and related novation agreement), SDS Novation Agreement and all related agreements and ancillary documentation regarding the Edinburgh Tram Network transaction.***

If the *words'and without adjustment to terms'* are included, this will mean that if there is last minute issue which is acceptable (because of a genuine error/omission, **tie** would have no authority to agree to a change. I understand the control CEC wishes to have but this language would make me concerned about the risk of an abortive Close because of clear lack of authority if the documents required a technical alteration , just prior to signing (eg schedules suddenly are noticed to contain blanks etc.).


Can we live without those words?

kind regards

From: Graeme Bissett [mailto:graeme.bissett@
Sent: 19 April 2008 13:28
To: Fitchie, Andrew
Cc: 'Gill Lindsay'
Subject: FW: Council Report

Andrew, the proposed wording for TA's letter to WG is highlighted below. Can you confirm this is ok and then Gill can organize a draft for BBS.

Regards
Graeme

Graeme Bissett
m : +44 

From: Gill Lindsay [mailto:Gill.Lindsay@edinburgh.gov.uk]
Sent: 18 April 2008 16:34
To: Graeme Bissett
Subject: RE: Council Report

Graeme

Thank you. Nick or Colin will forward up to date copies of both Operating Agreements.

I will keep in touch Tuesday re Report sign off.

On letters to close, my suggestions for your letters are to delete the sentence "I would be grateful.....contractual position" as this introduces a type of qualification to your formal recommendation to Tom. Suggest we add at end " Accordingly we confirm Tie's view that it is now appropriate to award the contracts" . As discussed, formal letter from Tom will require to be agreed with him but I agree your suggestion of currently considering by way of a draft a 1 line which states

"I hereby agree and confirm that Tie now immediately enter into the contracts without further adjustment to terms"

and is provided by Chief Executive following 1 May.

Final wording may depend on terms of the Report as circulated and as agreed.

Gill

From: Graeme Bissett [mailto:graeme.bissett@██████████]
Sent: 18 April 2008 15:30
To: Gill Lindsay
Cc: Alan Coyle
Subject: FW: Council Report

As requested.

Regards
Graeme

Graeme Bissett
m : +44 ██████████

From: Graeme Bissett [mailto:graeme.bissett@██████████]
Sent: 18 April 2008 15:00
To: 'Willie Gallagher'; 'Colin McLauchlan'; 'Stewart McGarrity'; Andrew Fitchie (andrew.fitchie@dlapiper.com); 'Susan Clark'
Cc: 'Alan Coyle'; 'david_mackay@██████████'; Neil Renilson (TEL)
Subject: Council Report

Colleagues, this is Alan's draft of the Council Report for the meeting on 1st May. The changes shown on the document are mine, as yet not discussed with Alan. To streamline matters, will you review and make suggested changes and comment on the attached draft, returning it to me by noon on Monday 21st at the latest so we can provide an omnibus response. The decisions on content are the Council's but we must make sure we are all on the same page.

I think this is an excellent draft. I would appreciate it if you would read the whole document, but would the following specific matters be addressed and commented on :

- Colin to consider how this sits with the proposed media communications
- All financial information, numbers etc to be confirmed by Stewart
- Susan to confirm programme details, including a suggested reference to the commissioning period when the trams will be visible
- Andrew to consider the recommendations in the context of the delegated authority tree and the need to avoid this new report becoming a matter in which BBS will take an interest. My amends to the delegation recommendation are intended to achieve this without diluting the re-confirmation aspect desired by Tom and colleagues. However, there may be smarter wording available.

Regards
Graeme

Graeme Bissett

m : +44 [REDACTED]

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