

Sturrock, Armstrong & Thomson  
7A Dundas Street  
Edinburgh  
EH3 6QG

Our Ref: CRS/SS/C11003

Your Ref: LJT/PT

Date: 17 April 2013

Dear Sirs

**Robbie's Services, 3c York Place Edinburgh – Compensation Claim**

We refer to your letter dated 12 July 2013, which relates to the intimation of a claim for loss due to the ongoing tram works in respect of Robbie's Services, a business based at 3c York Place, Edinburgh.

It is acknowledged that since May 2008, there have been a variety of tram related works undertaken on York Place, firstly those works concerned with the diversion of utilities away from the tram route which were accommodated in isolated worksite areas; then from 14<sup>th</sup> July 2012, which saw the closure of York Place to road traffic between North St Andrew Street and Broughton Street, for the track construction works.

It should be noted that over the full period of these tram related works, pedestrian routes and crossings between York Place, Dublin Street and North St Andrew Street, as well as the south footpath of York Place between Elder Street and North St Andrew Street, have been open and maintained at all times. It is accepted that in some cases, these pedestrian routes have periodically been modified to allow works to proceed, which has in some instances, led to a slightly extended walk between particular points of origin and destination.

During this period of construction works, the Tram Project and the City of Edinburgh Council have provided support to Robbie's Services in a number of ways. To this end Robbie's Services received a cheque for £3,000, made payable to Mr James Fairgrieve, on the 28<sup>th</sup> May 2008 from the Small Business Support Scheme on instruction from Cowan & Partners and authorised by tie Limited.

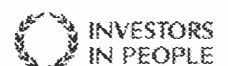
In addition to this and throughout the course of the works, Robbie's Services, like other businesses operating in York Place, received support in the form of additional directional signage and business directory information, these signs were placed in prominent locations on the footpath approaches to York Place from all directions.

A claim for compensation for loss resulting from public works where no land has been taken must satisfy the following criteria:-

1. The loss complained of must arise from the legitimate exercise of statutory powers.

Cont'd/...

Waverley Court, 4 East Market Street, Edinburgh, EH8 8BG Tel [REDACTED] Fax 0131 469 3010



2. The loss must be such that but for the statutory powers, it would have grounded an action at law.
3. The loss must be one affecting the value of the land.
4. The loss must arise from the construction of the public works and not from their subsequent use.

It is therefore for your client to demonstrate any loss in value of the land concerned, and that any loss was solely attributable to the tram works.

Whilst it is very regrettable that this business is no longer sustainable, in the wider economic climate, there may be other factors beyond the tram works contributing to the operation of the business.

Yours faithfully



Colin Smith FRICS MAPM  
Edinburgh Trams, Senior Responsible Officer  
for The City of Edinburgh Council

Email: [Colin.Smith@edinburghtrams.com](mailto:Colin.Smith@edinburghtrams.com)