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**From:** Willie Gallagher  
**Sent:** 03 September 2008 09:29  
**To:** Keith Rimmer; Steven Bell  
**Cc:** Susan Clark  
**Subject:** RE: TRO "90%" DRAWINGS FOR PLANNED TRO EXHIBITIONS IN SEPTEMBER 2008

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**From:** Keith Rimmer <Keith.Rimmer@tie.ltd.uk>  
**Sent:** 02 September 2008 09:49  
**To:** Steven Bell <Steven.Bell@tie.ltd.uk>  
**Cc:** Willie Gallagher <Willie.Gallagher@tie.ltd.uk>; Susan Clark <Susan.Clark@tie.ltd.uk>  
**Subject:** RE: TRO "90%" DRAWINGS FOR PLANNED TRO EXHIBITIONS IN SEPTEMBER 2008

Steven

As at close of business yesterday we have received Section 1B (All 4 sheets) and Section 1A (Sheets 5 to 8 only). This represents only about one third of the on-street route. My understanding was that we were to receive everything by yesterday. Can we please get Steve Reynolds to explain the delay and give us an assurance as to when the outstanding Drawings will be received? Obviously this is now critical in terms of arranging the TRO Design Meetings. Please advise.

Keith

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**From:** Steven Bell  
**Sent:** 29 August 2008 13:17  
**To:** Keith Rimmer; Duncan Fraser - CEC; Susan Clark  
**Subject:** FW: TRO "90%" DRAWINGS FOR PLANNED TRO EXHIBITIONS IN SEPTEMBER 2008  
**Importance:** High

FYI

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**From:** Steven Bell  
**Sent:** 29 August 2008 12:32  
**To:** Willie Gallagher  
**Subject:** FW: TRO "90%" DRAWINGS FOR PLANNED TRO EXHIBITIONS IN SEPTEMBER 2008  
**Importance:** High

Willie

I spoke with Steve Reynolds today at 10.30 and Halcrow are still on track for delivery by 1 September. Initial submissions were reviewed by CEC and tie (including Keith and Brian McCall) yesterday and the key issues were being addressed as expected.

Steve has arranged for Halcrow to work over the weekend to ensure completion as programmed.

The other MUDFA items are being progressed and I will update you next week.

Steven

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**From:** Steven Bell  
**Sent:** 26 August 2008 17:04  
**To:** Willie Gallagher  
**Cc:** Keith Rimmer; Alasdair Sim  
**Subject:** FW: TRO "90%" DRAWINGS FOR PLANNED TRO EXHIBITIONS IN SEPTEMBER 2008  
**Importance:** High

Willie

I spoke with Steve Reynolds at 1700 tonight and he has confirmed that Halcrow are on Programme to deliver for 1 September.

I asked that he confirm when an early copy of a section would be available for us/CEC to confirm it met our expectations and he committed to confirm that tomorrow morning. I have arranged to follow up on other outstanding MUDFA matters with him on 29 August.

Steven

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**From:** Steven Bell  
**Sent:** 21 August 2008 11:18  
**To:** Willie Gallagher  
**Cc:** Keith Rimmer; Alasdair Sim  
**Subject:** FW: TRO "90%" DRAWINGS FOR PLANNED TRO EXHIBITIONS IN SEPTEMBER 2008  
**Importance:** High

Willie

I have now spoken with Steve Reynolds on this matter again and he has committed to update me on progress on 26 August to assure completion. He has stated he will also confirm the earliest release of the first drawings to enable CEC and Keith Rimmer to review a.s.a.p.

Steven

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**From:** Reynolds, Steve [mailto:ReynoldsS@pbworld.com]  
**Sent:** 21 August 2008 09:05  
**To:** Steven Bell  
**Subject:** RE: TRO "90%" DRAWINGS FOR PLANNED TRO EXHIBITIONS IN SEPTEMBER 2008

Steven

I have now received the required confirmation that the drawings will be delivered as agreed on 01 September and I trust this will resolve the problem.

I will give you a call a little later to follow up

Thank-you. Steve

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**From:** Steven Bell [mailto:Steven.Bell@tie.ltd.uk]  
**Sent:** 20 August 2008 15:17  
**To:** Reynolds, Steve  
**Subject:** FW: TRO "90%" DRAWINGS FOR PLANNED TRO EXHIBITIONS IN SEPTEMBER 2008  
**Importance:** High

Steve

I have spoken to Willie about this following our conversation this morning.

He cannot let it lie given the political focus but it would be better for him to follow up with Stuart Glen on the basis of you and PB are actively delivering a solution to the problem and addressing the issue with Halcrow. Can you come back to me later this evening as he will be actioning tomorrow before he goes on leave.

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**From:** Keith Rimmer  
**Sent:** 20 August 2008 14:34  
**To:** Willie Gallagher  
**Cc:** Steven Bell; Alasdair Sim  
**Subject:** TRO "90%" DRAWINGS FOR PLANNED TRO EXHIBITIONS IN SEPTEMBER 2008

Willie

Further to our telephone discussion this morning:-

We took the decision in July 08 that it was necessary to move the TRO process forward faster because of the potential large gap occurring between the commencement of INFRACO works on-street (Leith Walk in Sept 08) and the SDS Programme date for the commencement of the statutory process (Summer 09). The TRO Working Group (TROWoG) assessed this and Ann Faulds prepared a paper which was subsequently approved by both the TPB and the tie Board. Inter alia the paper suggested holding public exhibitions of the proposals based on TRO drawings that were 90% complete, (i.e. complete enough for meaningful public discussion and comment). This would allow us to bring forward the commencement of the formal statutory process and make up some of the undesirable time lag now being shown on the SDS programme.

The TROWoG (tie, CEC, CEC Legal, PB, D & W) at its meeting of 22 July 08 confirmed that the Tram on-street route would be divided into 4 Sections and that public exhibitions/ meetings would be arranged covering each of these sections. The PB project manager for the TRO's, Richard Firth (RF), attended the meeting and he was asked to confirm the date by which the "90%" TRO Drawings would be available. There were three requirements for these drawings:-

- They were to be amended to show all of the amendments that tie and CEC had put forward to the Designers in response to the 1<sup>st</sup> draft TRO drawings of April 08 (Note that this requirement does **not** include the hundreds of detailed comments made by CEC as part of the roads design technical approvals process)
- The drawings show both the existing TRO features as well as the proposed ones. They did however have different legends for common TRO features (e.g. lengths of double yellow lines). In the interests of clarity and public understanding CEC requested that the legend for the existing and proposed measures be rationalised and made the same. This would involve some re-drafting of the map graphics to achieve.
- The existing TRO features would be checked for correctness against the CEC GIS record for these

The requirement to change the drawing legend had already been raised previously by CEC. I had accordingly become aware of a possible reluctance to do so on the part of Halcrow who have been sub-contracted by PB to carry out the TRO design. In view of this I requested RF to confirm on 22 July 08 whether or not there was any PB/ Halcrow contractual issue that would affect the production of the 90% maps. This is minuted. In the event RF subsequently confirmed to me that there was no impediment to the Maps incorporating the above requirements being handed over to tie on 15 August 2008. Accordingly tie's planning of the public exhibitions has been on this basis and the meetings and venues had been provisionally arranged over a four week period to commence on 9 September 2008. The meeting schedule has not been publicly confirmed however as I had insisted this did not occur until after tie had received and approved the 90% Drawings.

On Tuesday 12 August I asked PB (Scott Ney) to contact the designers with a view to obtaining an single advance copy of one of the 90% drawings prior to the handover date of 15 August so that tie and CEC could see that the features were going to be provided in line with our expectations. He agreed to do this and in spite of a follow up the next day no drawing was provided. On Monday 18 August it was apparent that tie had not received the Drawings as promised. It took until Tuesday morning for PB to confirm that in fact the Drawings were not available. Alasdair Sim then proceeded to set up an urgent meeting with PB Alan Dolan) and the designers.

In the meantime I advised Steven Bell of the situation. Steven agreed to pursue the matter with Steve Reynolds whilst Alasdair Sim and myself would meet Alan Dolan and Halcrow to determine the status of the Drawings and a obtain a revised handover date. Halcrow confirmed that the Drawings had been amended to reflect the comments made by tie/ CEC on the 1<sup>st</sup> drafts but that the legends had not yet been changed. AD offered to provide the Section 1B Drawings by 4

September with the remainder to follow within the following 2 weeks. Whilst I think that this can and must be considerably improved upon by PB, I have taken the precaution of advising Mike [Connolly's team that we should slip the provisional public exhibition programme by 2 weeks. This would mean a commencement on 23 September and will therefore still enable us to comply with our publicly stated commitment of initiating the meetings during the month of September. In view of the undermining of the confidence that tie/ CEC can have in what is provided by PB/ Halcrow, caused by these events, we need some checking time.

To sum up, the TROWoG and myself were given an assurance by PB in July that the 90% TRO Drawings would be provided to tie on 15 August 2008. This was not done and it is now apparent that we were misled. Having expressed a personal concern about the commitment I was given an assurance by PB that there was no impediment to the delivery of the Drawings on 15 August. It is now clear that this was manifestly untrue. No satisfactory explanation has been provided by PB. The recovery plan offered by PB and Halcrow is inadequate and needs to be improved upon. At the very least **all** of the 90% TRO Drawings should be provided by no later than 4 September 2008.

These events comprise a failure of proper professional standards on the part of PB/ Halcrow and represent a serious breach of trust/ dereliction of duty of care to tie as their client. CEC as the major stakeholder/ Statutory Authority clearly also regard these events as a serious failure. Accordingly I recommend that the matter be taken up urgently with PB's directors.

Keith

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