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Our Ref: ULE90130-SW-LET-01015

Your Ref: DES.ADM.1299

10<sup>th</sup> April 2008

**tie** Limited  
CityPoint  
65 Haymarket Terrace  
Edinburgh  
EH 12 5HD

Attention: Damian Sharp

Dear Damian

***Detailed Design – Public Consultation***

Thank you for your letter dated 20<sup>th</sup> March 2008.

SDS were somewhat surprised that tie appears to require that a "Final Assured Design Package" is delivered before the public presentations. This is not in accordance with any of our previous discussions on the Public Consultation Strategy and seems to us to be impracticable from tie's perspective.

We thought that we were working with tie on the basis that we would present our final design based on submission of our Prior Approval Applications. The SDS understanding was that, as this is the stage at which the plans are available publicly (via the CEC planning portal website), it was the most apt point at which to be available to explain and take questions from the public. The further advantage that we understood that you were in agreement with, is that the drawings included with the Prior Approval Applications are easily understood by the public and contain a lot of pertinent detail.

In contrast, if you now require SDS to have submitted the Final Assured Design Packages before public presentations, they will be delayed until Autumn 2008. We understand that construction will be well underway by then. We would have expected tie to have found this untenable. (SDS believe construction is to start April/May 2008).

We await your further consideration and instruction to proceed with this final round of consultations. SDS would advise tie that any delay to this exercise would be seen to hold up the SDS design/approval delivery process.

Taking your other points, I confirm that the display material will be based on the Prior Approval Applications. This is in accordance with our previous discussions and was agreed because it has the advantage that tie has already accepted it as appropriate for public deposit. In view of your comments, please confirm that this continues to be the case.

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SDS needs guidance on your third point where you state:

*"...whilst we would not expect you to incorporate detailed design elements relating to changes which have yet to be developed it is vital that the design which is presented to the public is one which fully represents the expected design solution which is on the balance of probability going to be constructed. Whilst this may be subject to minor change in certain locations it should be a design solution which has received general approval from ourselves (tie) and the scheme promoter (City of Edinburgh Council)."*

With respect, this judgement can only come from **tie** and the City of Edinburgh Council and SDS await your instruction. SDS would again advise **tie** that this is obviously now holding up the SDS completion process.

On your last point, it isn't clear to us why a further two weeks of discussion is needed in advance of the logistics of booking venues, etc. The lead up to submitting applications for prior approval includes a great deal of review and discussion between us and there should be no surprises at this stage. We note your point about sharing how the design team has considered comments and issues raised by the public and the explanation of where these have been taken on board or not, and why. You will recall that this forms part of our Strategy for Consultation, Stage 3 (ULE90130-SW-REP-00414v1) and we expected to include this to our discussions although we consider that this should be done at the start of the four week period rather than before it (which would prolong the process).

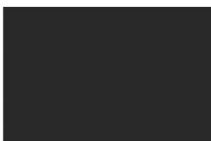
If **tie** decide to continue with our suggestion that the public consultation should be based on applications for Prior Approval then SDS confirm that we will be undertaking the meetings at the earliest.

**Tie** will be aware that SDS agreed the preparation of Design Assured Packages to assist **tie** and does not form part of our contract. That this would intercede in the planned consultation and stakeholder engagement process was not part of that assistance and should **tie** wish to confirm that this is its intended approach, SDS will require a Change Order.

I apologise if this letter seems somewhat combative, but I hope that you understand that we have been taken by surprise by the apparent changes by **tie** on this subject. SDS and **tie** have agreed the Public Consultation Strategy and we believe we have a well considered approach which will result in the speediest closure. The approach now being proposed by **tie** will result in delay and may be seen to frustrate the SDS approvals programme.

We respectfully await your early reply on this subject.

Yours sincerely



**Alan Dolan**  
**Parsons Brinckerhoff**

cc:  
Bob Clarke  
Andy Dixon  
SDMs  
Jason Chandler  
Steve Reynolds

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