

I wish to assist the Inquiry and I have accordingly prepared a statement of my understanding and recollection of the Project to the best of my knowledge and belief without access to relevant records. The timescales of some of these matters now exceeds 10 years.

I was last employed by the Council some 5 years ago having left the Council's service in 2010 and have held other legal roles and posts since then. Since 2010 I have had no access to Council records and this statement is therefore prepared without access to Council records. The Council should have all relevant documentation. I have not had access to any Scottish Government records in relation to the Project. Prior to 2010 I had very limited access to any records of Tie Ltd.

To the best of my recollection, knowledge and belief:-

My understanding and recollection is that the Scottish Government required and mandated that this Project would not be carried out by the Council and required that it be carried out by a separate company, with its own structure and staff. My recollection is that this was as a consequence of an undelivered earlier transport project. As a consequence of the above structure, the Project was not directly a Council Project and the role of the legal services division was unlike any other piece of legal activity for the Council. In summary:-

I was not involved at any time or in any way with making decisions on the procurement/contract or project structure,  
I was not party to any contract or commercial negotiations,  
I was not involved in drafting or revising any of the contract or project documents.

In terms of timescales, budget and oversight, I had no role in the Project Management nor in the budget or approving any sums to any party or contractor, within or outwith any budget. I had no role in the business case.

I was not a Member of Tie Ltd nor a member of the Tram Project Group.

The contract structure, procurement and its constituent parts and commercial input was undertaken by and determined by Tie.

The role of Tie was the delivery of the Edinburgh Tram Project. Tie had a range of internal staff and a range of external consultants to secure delivery. Tie external consultants included external legal Agents for the Project.

The Council's legal division had some role in associated Council legal activity including road traffic issues, the Parliamentary Inquiry relating to The Tram Acts, the planning issues relating to developer contributions, securing consents for the overhead lines, operating agreements and a number of discreet areas and liaison with Council officers and external Agents.

Should any information which I consider to be inconsistent with the above be made or on any matter of concern to me, I reserve the right to respond or add to this Statement.