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By email to david.murdoch@edinburghtraminquiry.org

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Dear David,

**EDINBURGH TRAM INQUIRY
THE SCOTTISH MINISTERS
SECTION 21 NOTICE (9 AUGUST 2017)**

I refer to your emailed letter of 9 August 2017 and notice under section 21 of the Inquiries Act 2005 also dated 9 August 2017 (“the Notice”) requiring the Scottish Ministers to produce to the Inquiry the report on the Infraco contract provided by Dundas & Wilson to Transport Scotland referred to on page 41 of John Ramsay’s signed statement dated 24 May 2017.

As you know, the Scottish Ministers have already provided to the Inquiry all material which they hold which relates to the Edinburgh tram project. Clearly, the report to which you refer will “relate to” the Edinburgh tram project and as such, if held by the Scottish Ministers, will already have been provided to the Inquiry. I would refer you in that regard to my letters to the Inquiry of 11 February, 30 July and 1 October 2015, and 17 January 2017, and the material produced therewith.

Transport Scotland have previously provided the Inquiry with a report by Dundas & Wilson on remedies under the Edinburgh Trams Grant Agreement. Although undated on its face, this report was saved in Transport Scotland’s “eRDM” records database as “Edinburgh Trams – Legal Advice – Cure Notice and Remedies under Financial Agreement April 09”. It therefore appears to date from around the time of John Ramsay’s request for the Infraco, which was 9 March 2009. It may be that this report is the report John Ramsay had in mind, notwithstanding that it does not say that the Infraco contract was not fit for purpose. I attach a further copy.



I confirm on behalf of the Scottish Ministers that they do not hold any other material falling, or potentially falling, within the parameters of the Notice.

Yours sincerely,



STEPHEN REES

