
From: Alastair Maclean [Alastair.Maclean@edinburgh.gov.uk]
Sent: 15 July 2011 19:01
To: Brandenburger, Alfred
Cc: Colin Smith; Martin Foerder - BB Civil UK; Kevin Russell - BB Civil UK; Scully, Patrick (STS); Kraemer, Robert; Alastair Richards
Subject: Re: Settlement Agreement; ERs

Alfred

All revised sections have now been issued.

I am obviously hugely disappointed that after a very useful meeting on Tuesday and a further useful session between Alastair Richards and Robert we seem to have gone backwards. I am not sure why but there is obviously a further issue / sensitivity of which I am not aware.

I am clearly willing to meet again next week to discuss with or without lawyers but if parties are simply going to agree or not agree a position to enable them to defer to matters in order to take advice afterwards that would not seem the most efficient way of dealing with things.

I also note that I still have not received BBS comments on the Infraco amendments which have been outstanding for weeks. I am trying not to read anything into that.

We all clearly need to step up the pace if we are aiming to have everything agreed by end July but on present pace that is not going to be likely. I am also concerned that we will lose CAF for much of the month of August. To add to that we are still awaiting BBS confirmation that the extension letter to MOV4 is agreed.

I would suggest that with so much outstanding we should discuss matters asap on the telephone as there is a distinct feeling that we are all losing a bit of momentum here.

Let me know when suits to talk.

A

On 15 Jul 2011, at 13:55, "Brandenburger, Alfred" <Alfred.Brandenburger@siemens.com> wrote:

Alastair, Colin

further to our meeting on Tuesday this week[12/07/2011] we confirm our understanding that all proposed amendments by CEC to Sections 1, 2, 23, and 40 of the ER's would be presented to us by Wednesday 13 July 2011. The timely provision of this information was required because of the non-availability of Robert Kramer after Thursday 14 July 2011.

However, Section 23 amendments were received only yesterday afternoon [14 July 2011] and the Section 40 amendments have not been received so far.

I also would like to point out that we have not committed to the proposed amendments to Section 1 and Section 2 of the ER's. Our position remains that the ER's should merely be amended to reflect the truncated line to York Place. However, we shall continue to review your amendments.

Taking a first quick view to the Section 23 amendments presented yesterday via Ashurst, we find them not acceptable based on the principle "no better - no worse". Further, it is apparent that you still propose to present Tram Employer Requirements. Our position is that there should be one set of Employer's Requirements. We believe this is in the interests of all parties.

In order to meet the deadline of 31 July 2011 as discussed in Heathrow we propose a further meeting as soon as you are available. [I would propose without lawyers] in order to progress matters.

Thanks and regards Alfred

Best Regards
Alfred Brandenburger

Siemens plc
ETN Commercial Project Director
9 Lochside Avenue
Edinburgh EH12 9DJ
Tel.: +44 [REDACTED]
Fax: +44 [REDACTED]
Mobil: +44 [REDACTED]
<mailto:alfred.brandenburger@siemens.com>

Siemens plc registered office: Faraday House, Sir William Siemens Square, Frimley, Camberley, GU16 8QD. Registered no: 727817, England.

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