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**From:** Nick Smith  
**Sent:** 18 December 2007 16:45  
**To:** Colin MacKenzie  
**Subject:** RE: TRAMS: LAC PAPER ON CHIEF EXECUTIVE APPROVALS

excellent Colin

Kind regards

Nick

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**From:** Colin MacKenzie  
**Sent:** 18 December 2007 16:44  
**To:** Gill Lindsay  
**Cc:** Nick Smith; Alan Squair  
**Subject:** TRAMS: LAC PAPER ON CHIEF EXECUTIVE APPROVALS  
**Importance:** High

Gill,

I refer to the paper which was circulated at yesterday's LAC by **tie**.

Once again I have concerns about the mechanism which **tie** appears to be intent on setting up through the LAC forum. I accept that the content of the paper is very helpful, and represents a good stab at what is required by the Chief Executive. I discussed the paper with the internal Property and Legal Issues Group this morning, with the result that there are a number of additional points to go into the report.

My view is that after Thursday's Council meeting a letter should go to **tie** from Tom Aitchison formalising the outcome of that meeting and setting out the product which **tie** will be required to deliver before they receive authority to enter the BBS contract. To date I wonder if they appreciate the gravity of the situation. There may still be a remote chance that they will not deliver sufficient comfort for Tom Aitchison to authorise financial close, simply because a number of matters are in the control of third parties.

I would be happy to draft such a letter in the name of the Chief Executive if you agree that is an appropriate course of action.

On the related matter mentioned above, I again do not believe the LAC is the appropriate "sign-off" medium. I report through you and Jim to the Chief Executive, not to LAC. It is the Chief Executive who will require to be satisfied by his officers, and not by a Committee of a Council-owned company. What are your thoughts ?

Regards,

Colin MacKenzie

for Council Solicitor