

# tie Limited

## Minute of the CEC/tie Legal Affairs Group Meeting

**Date:** Monday 14 January 2008

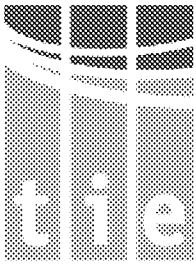
**Time:** 16.00 – 17.30

**Venue:** CityPoint II

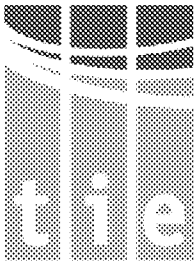
In attendance	Willie Gallagher	<b>tie</b>	WG
	Graeme Bissett	<b>tie</b>	GB
	Susan Clark	<b>tie</b>	SC
	Matthew Crosse	<b>tie</b>	MC
	Andrew Fitchie	DLA	AF
	Duncan Fraser	CEC	DF
	Gill Lindsay	CEC	GL
	Rebecca Andrews	CEC	RA
	Robert Millar	CEC	RM
	Colin MacKenzie	CEC	CM
	Andy Conway	CEC	AC
	Nick Smith	CEC	NS
	Steven Sladdin	CEC	SS
	Alan Coyle	CEC	AC
Apologies	Andrew Holmes	CEC	AH
	Alasdair Sim	<b>tie</b>	AS
Circulation	Above		

		ACTION By	Target Date
<b>1.</b>	<p><b>Financial Close Programme</b></p> <p>GB summarised the list which contains all the documents that are required for financial close. These are separated into sections, which show the owner of the document and who is required to sign it.</p> <p>GB explained the process that <b>tie</b> developed in order that a data room can be created in the CityPoint offices. Meetings have been arranged this week and next with CEC/ <b>tie</b>/ TEL to explain. The data room will hold hard copies of all documents relevant to financial close; they will also be together on the extranet.</p> <p>A report will be produced for the three board meetings (<b>tie</b>, TPB and TEL) due to take place next week to report the summary status on all the documents on the list, including risk matrices. GB noted that CEC will to produce their own report for their council meetings.</p>		





	<p>Steven Bell held a review of the APA with Chris Horsley today. There is an outstanding issue of indemnity, advice has been sought from ORR and Transport Scotland, and more details will be expected tomorrow. WG is confident of a positive result from Network Rail.</p>	<b>SB</b>	<b>15.01</b>
	<p>CEC have understanding that CPO is depending on the APA indemnity result but believe that it should be acceptable.</p> <p>Steven Bell to speak to AH and Donald McGougan regarding CPO as they will need confirmation in writing relating to access to land. GL confirmed that they can keep this on hold before they start analysing an alternative.</p>	<b>SB</b>	<b>16.01</b>
	<p><b>Third Party Agreements</b></p> <p>BAA agreement; WG stressed that this should be completed by Wednesday and CEC have agreed to sign.</p> <p>Forth Ports agreement; the head of terms will be agreed before financial close but the agreement won't be as it is still missing design information.</p> <p>SRU, there is a possibility that this could be completed before financial close as much of the information relates to design and spec. <b>tie</b> are onto this with Lindsay Murphy leading.</p> <p>WG stressed again the importance of having these completed before end of January.</p>	<b>CM</b>	<b>16.01</b>
	<p><b>tie Operating Agreement</b></p> <p>NS has pulled this together in draft form with <b>tie</b>'s comments and this has been passed to AH and Donald McGougan for comment. WG will speak to AH on Wednesday to ensure that this goes through quickly. All confirmed that this should be signed off this week.</p>	<b>NS</b>	
	<p><b>TEL Operating Agreement</b></p> <p>NS sent out on Friday for comments; AH has looked over it but has yet to come back to NS. GL will keep pressure on this.</p> <p><b>tie</b> and TEL Operating agreements are to be signed off before the board meetings take place next week. This will be a binding agreement for an interim period.</p>	<b>GL</b>	



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	<p>CEC to send all comments to NS before the close of business on Tuesday. NS to then send to GB for circulation to the TEL Board members.</p> <p><b>tie/ CEC License</b></p> <p>There are no issues with this and it will be concluded before the end of the week.</p> <p><b>Consents Paper</b></p> <p>This is to be read and comments back to AF by Tuesday and DS to attend next LAC meeting.</p> <p><b>Funding Letter and CEC Guarantee</b></p> <p>This is being held up due to wording inconsistency noticed by TS. RA has drafted a letter for Donald McGougan to sign which will cover this.</p>	<p><b>NS GB</b></p> <p><b>CM</b></p> <p><b>ALL</b></p> <p><b>RA</b></p>	<p><b>18.01</b></p> <p><b>15.01</b></p> <p><b>16.01</b></p>
3.	<p><b>Review of Last LAC Meeting Minutes</b></p> <p>The minutes from the LAC meeting on 7<sup>th</sup> January 2008 were reviewed. Unless otherwise noted in the following sections, all actions arising from these minutes have been completed by the identified individuals.</p> <p><b>AOB</b></p> <p>RA is concerned regarding advanced purchases of materials and whether CEC would risk losing money should BBS have financial difficulties. AF will include and discuss bonding advanced payments with BBS to provide comfort to CEC.</p> <p>It was decided that dealing with the street trader face to face (and offer another trading location) would produce better results than suspending their licenses. Communication has already taken place between CEC and the Stakeholder team to make contact with these traders. DF also noted whether they could fall into the small businesses compensation category.</p>	<p><b>AF</b></p>	<p><b>18.01</b></p>
	<p><b>Next Meeting</b></p> <p>Monday 21<sup>st</sup> January 2008 @ 16:00pm at Citypoint</p>		