
From: Colin MacKenzie
Sent: 29 January 2008 09:16
To: Gill Lindsay
Cc: Nick Smith; Duncan Fraser; Andy Conway; Rebecca Andrew; Alan Coyle
Subject: FORMAL MINUTES: TIE LIMITED

Gill,

There was brief discussion last night at LAC about the wording of the **tie** minute of today's meeting. I have had a look at the text, as invited last night. Here are my thoughts. If you agree, you may wish to forward to Graham Bissett before the **tie** board meeting this morning.

I believe it is premature for **tie** today to grant authority to Willie Gallagher to take the various actions on behalf of the company. The preamble and paragraph 3 are the relevant matters as far as I am concerned. Maybe it is just a question of timing, but as of today's date I do not agree that **tie** can note "...that all approvals and conditions to execution having been satisfied in accordance with the delegation of authority arrangements...". As far as the Council is concerned the Chief Executive is still to be satisfied that **tie** has demonstrated to Andrew, Donald and yourself sufficient confidence that the contracts can be executed. That was the thrust and intention of the Council report on 20 December. It would therefore be more accurate to say today that Willie Gallagher should receive the power to sign the contracts only when authorised to do so by Tom Aitchison.

As was evident last night there is still a considerable way for **tie** to go before it has met all of the requirements set by the Council officers.

I have no comments on the other Board minutes from last week since they are now beyond influencing or correction.

Regards,

Colin MacKenzie
for Council Solicitor