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**From:** David Carnegie  
**Sent:** 14 February 2008 10:43  
**To:** Damian Sharp  
**Subject:** RE: Leith Walk Footways

Damain,  
Totally agree.

FYI - The paper I did that went to TPB yesterday contained a footnote listing upcoming project changes – not sure if Steven discussed this at the meeting.

Will try and find out.

Regards,  
David

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**From:** Damian Sharp  
**Sent:** 14 February 2008 09:43  
**To:** Andy Conway - CEC  
**Cc:** Steven Bell; Susan Clark; David Carnegie; Dennis Murray; Duncan Fraser - CEC  
**Subject:** RE: Leith Walk Footways

Andy

I have consulted with some of my colleagues and can confirm that the chain between the Council's intention to get this work designed and a contractual instruction to SDS was never completed. It seems to have fallen at the first hurdle in that the Council never got the Project Change paperwork completed to go through the cycle of change notice/estimate/project change/change order to SDS.

This is not the first occasion on which we have had this set of circumstances and we clearly need to make sure the change control system works properly. It is designed to balance the legitimate position of the Council as Client, part-funder and financial risk taker on the project with the need for rigorous control of changes so that tie can satisfy its duty to the Council (and previously also to Transport Scotland) to control costs on the scheme in line with best practice.

As far as I can tell there is nothing wrong with the change control system itself – the failings have been down to it not always being used rigorously by people who have contemplated changes.

I think we need to fix any existing, historic problems and ensure that we enter the Infraco contract with everyone involved having a clear understanding of the change process and a commitment to use this. That contract will cover any further design changes plus any infrastructure changes from the project scope. As enter the Infraco phase even relatively minor changes become potentially more expensive and so it is most important that we are all together on this.

Turning back to this specific instance, I remember this being brought up at TPB where there was consensus that it made sense to accommodate CEC's wish to undertake additional streetscape works provided CEC could find the additional funding. At that point CEC couldn't confirm the budget (although that has clearly changed in the meantime) and it was made clear that the change control paperwork was required – I remember that Transport Scotland's then representative was most clear about this. And I am sure that up until July 2007 when Transport Scotland ceased to have approval rights over project changes no change was put to TPB for approval.

All that said, I wish to be as helpful as possible in supporting CEC's reasonable intention to combine the public realm works with the tram works. So I will today issue a Change Notice to SDS for very rapid turn around to get the estimate and allow us to complete the Project Change form – we will then need to try to deal with this change authorisation outside the normal TPB cycle.

Clearly there is not enough time to fix this in time for Monday's submission of Phase 1b for technical approval so we need to discuss how we can solve this without holding up submission and consideration of the technical approval.

This also raises the question of Bernard Street and anywhere else where we have additional scope being pursued alongside the tram project. In Bernard Street we effectively have 2 designs – one being completed in detail which ties

in with the existing public realm and one which has had less detailed development that integrates potential public realm improvements with the tram scheme. We need to ensure everyone has clear and compatible expectations of what is coming forward to be approved and of how alternatives are being treated.

Damian

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**From:** Andy Conway [mailto:Andy.Conway@edinburgh.gov.uk]  
**Sent:** 13 February 2008 15:15  
**To:** Damian Sharp  
**Subject:** Leith Walk Footways

Damian,

As you know SDS are about to submit Leith Walk 1B shortly. Scott Ney has just confirmed to me that they have not yet been instructed about the footway re-reconstruction works (where CEC agreed to fund addition £2M of works). Assuming Scott is correct, how does tie propose to deal with the technical approvals associated with those works. I had hoped that SDS submission would include those works.

Regards

Andy Conway

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