
From: Barry Cross [Barry.Cross@tie.ltd.uk]
Sent: 29 October 2007 10:46
To: Ney, Scott
Cc: Trudi Craggs; Chandler, Jason
Subject: RE: Agreement of HoT

Scott,
as far as I'm concerned we are still with the PD.
That's the threat to FP, and they have got to believe it; otherwise we'll never get HoT signed and them tied into meeting cost differentials.
Any contact you have with Malcolm in the next few days - don't flinch!
Thanks,
Barry

-----Original Message-----

From: Ney, Scott [mailto:Ney@pbworld.com]
Sent: Mon 29/10/2007 08:57
To: Barry Cross
Cc: Trudi Craggs; Chandler, Jason
Subject: RE: Agreement of HoT

Barry -

Is this going to influence tie's decision on whether to move forward with the design of this area according to the new scheme (ie - is it possible we will now revert back to PD?).

Please advise.

Thanks.

SMN

From: Barry Cross [mailto:Barry.Cross@tie.ltd.uk]
Sent: 28 October 2007 21:19
To: Malcolm.Butchert@forthports.co.uk
Cc: Trudi Craggs; Ney, Scott; morag.mcneill@forthports.co.uk
Subject: Agreement of HoT
Importance: High

Malcolm,

It was good that we were able to meet briefly on Friday morning.
Thank you for the new drawings incorporating your developing thoughts around the master-plan. These will prove useful in taking our designs to the next level of refinement. I note that the material should now have been loaded and be available electronically.

We do however have a serious problem. I think that I am correct in recalling that you suggested that Forth's agreement of the Heads of Terms must await a meeting on Thursday between you and Morag and then an internal approval process within the broader Forth Ports, including a Board approval? Forgive me if I have picked you up wrong.

The problem we have is the one that I have rehearsed on a number of occasions since we first re-started the negotiating process. The problem is that if we are to move from the existing alignment to the one that we have been discussing, we need to do so at the earliest opportunity to allow the design team to work up the new proposal in detail. To do so they will effectively abandon work on the existing alignment. A pre-requisite for the move in resource is the agreement of HoT.

On 12 November we had what we all agreed was a very productive meeting with every indication that we had agreed the remaining issues, at least in principal. The work on the Lindsay Road variant had been the last significant component. You'll recall that the intention was that Trudi would capture our agreement in a further revision to the HoT in anticipation that we would seek to conclude on Monday 22 or thereabouts, once we had all returned from our various holidays. Realistically though, a further exchange of revisions or a round table session may be necessary. Trudi circulated the revised HoT, as agreed, on Friday 19.

I am keen to conclude the HoT before the end of October so that we can then instruct our design team to adopt the new alignment and use your emerging master-plan work to refine the tram alignment and road layout for the entire route from Newhaven/Lindsay Road to Constitution Street/Casino. In turn we will need to work hard to ensure that we conclude our revised Agreement, reflecting the HoT, before the end of the year. This will present particular difficulties given that certain components that you wish to incorporate are dependent upon your emerging master-plan that has yet to be approved by either FP or the planning authority. We do therefore need to move rapidly into the next stage of the design process.

Whilst I realise that FP has a lot on its plate at present can I ask you to review with Morag how we might get to an agreed HoT in the next two or three days. Needless to say Trudi and I would be available as a priority should you/Morag need to meet.

It would be a shame to miss the opportunity having come this far.

I will be around most of Monday if you need to discuss.

Many thanks,

Barry

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