

---

**From:** Clelland Gil N [Gil.N.Clelland@carillionplc.com]  
**Sent:** 09 November 2009 09:05  
**To:** Graeme Barclay  
**Subject:** FW: Haymarket JCN; West Maitland Street; Virgin Media progress

Graeme,

I was on site at Haymarket on Saturday and had a look at the cellar. Unfortunately, Mark is quite correct, the cellar wall at the location inspected is suffering from years of water damage exacerbated by a lead water service which has been roughly broken through. There is no doubt that it is dangerous at this location. Apparently the cellar gave way when one of our operatives stood on it, his leg went straight through!

This will impact on the tram installation works given the proximity of the cellars to the track slab.

I recommend that we ask a Structural Engineer for an opinion and a design to effect a temporary repair and you may wish to speak to Frank McFadden agree a permanent solution.

I will speak to you about this on Monday.

Cheers  
Gil

---

**From:** Clelland Gil N  
**Sent:** Friday, November 06, 2009 5:33 PM  
**To:** 'Russell Maxwell'; Mckavanagh Mark  
**Cc:** Graeme Barclay  
**Subject:** RE: Haymarket JCN; West Maitland Street; Virgin Media progress

Chaps,

Is everyone feeling much better now? I have better things to do with my own time on a Friday evening than read this e-mail diatribe. I suggest that you chaps meet and jointly and try to resolve this matter. If you cant quickly find safe resolution, by all means involve either myself or Graeme Barclay.

Gil

---

**From:** Russell Maxwell [mailto:Russell.Maxwell@tie.ltd.uk]  
**Sent:** Friday, November 06, 2009 4:52 PM  
**To:** Mckavanagh Mark  
**Cc:** Michael Blake; Thomas Caldwell; Graeme Barclay; Michael O'Connor; Clemenson Stephen; Clelland Gil N  
**Subject:** RE: Haymarket JCN; West Maitland Street; Virgin Media progress

Mark,

When i need reminded of my responsibilities i will ask !

You have verbally stated that no further work will be carried out on the footpath this morning. This has to be recorded in writing otherwise your probable claim for delay will have no recorded start date and cannot be monitored.

CEC00803791\_0001

It is now obvious from your e-mail that CUS intend to do nothing to mitigate the potential delay, therefore we will now look into a solution to assist.

For the record, the other recipients of my e-mail are not your concern and are added at my discretion. These people will all be involved at some stage in assisting in a resolution to the issue and were certainly not added for effect.

Russell Maxwell  
APM TIE

---

**From:** Mckavanagh Mark [mailto:Mark.Mckavanagh@carillionplc.com]  
**Sent:** 06 November 2009 16:30  
**To:** Russell Maxwell  
**Cc:** Michael Blake; Thomas Caldwell; Graeme Barclay; Michael O'Connor; Clemenson Stephen; Clelland Gil N  
**Subject:** RE: Haymarket JCN; West Maitland Street; Virgin Media progress

Russell,

Let me remind you that it is a tie instruction to work over the cellars and under CDM you have a responsibility to ensure that your design can be constructed safely, conversely it is incumbent on me to ensure that my workforce has a safe environment to work currently, in my opinion this is not the case. Therefore, I suggest that in order to avoid further delay to the programme, you confirm by return that these cellars are safe and stable to withstand the operation that you are asking us to carry out.

For the record, I am disappointed by your approach to what is clearly a H&S issue and I will not be pressured by you or any other of the people that you have added to your e-mail list for effect.

Mark

---

**From:** Russell Maxwell [mailto:Russell.Maxwell@tie.ltd.uk]  
**Sent:** 06 Nov 2009 14:42  
**To:** Mckavanagh Mark  
**Cc:** Michael Blake; Thomas Caldwell; Graeme Barclay; Michael O'Connor; Clemenson Stephen  
**Subject:** Haymarket JCN; West Maitland Street; Virgin Media progress

Mark,

While initially happier with increased resources over the last couple of days, I note that resources have reduced today, 6/11/09. You have informed me today that CUS will not be continuing with any further excavation work to this footpath and work is now effectively stopped, based on your assumptions that the footpath cellars are not safe to continue working above.

Please advise what CUS intend to do to in order to resolve this problem and in turn mitigate this delay?

Regards,  
Russell Maxwell  
APM TIE

---

The information transmitted is intended only for the person to whom it is addressed and may contain confidential and/or privileged material. If you are not the intended recipient of this e-mail please notify the sender immediately at the email address above, and then delete it.

CEC00803791\_0002

E-mails sent to and by our staff are monitored for operational and lawful business purposes including assessing compliance with our company rules and system performance. TIE reserves the right to monitor emails sent to or from addresses under its control.

No liability is accepted for any harm that may be caused to your systems or data by this e-mail. It is the recipient's responsibility to scan this e-mail and any attachments for computer viruses.

Senders and recipients of e-mail should be aware that under Scottish Freedom of Information legislation and the Data Protection legislation these contents may have to be disclosed to third parties in response to a request.

tie Limited registered in Scotland No. SC230949. Registered office - City Chambers, High Street, Edinburgh, EH1 1YT.

---

Click [here](#) to report this email as spam.

**CARILLION VALUES**

**Openness - Collaboration - Mutual Dependency - Professional Delivery -Sustainable Profitable Growth - Innovation**

This e-mail transmission, including any attachments, is confidential to the intended recipient. It may contain privileged and confidential information. If you have received this e-mail in error, please delete it and notify the postmaster@carillionplc.com. You must not disclose its contents to anyone, retain, copy, distribute or take action in reliance upon it.

Carillion may monitor outgoing and incoming e-mails. By replying to this e-mail you give your consent to such monitoring

Carillion plc: Registered in England No. 3782379 Registered Office: Birch Street Wolverhampton WV1 4HY.

---

The information transmitted is intended only for the person to whom it is addressed and may contain confidential and/or privileged material. If you are not the intended recipient of this e-mail please notify the sender immediately at the email address above, and then delete it.

E-mails sent to and by our staff are monitored for operational and lawful business purposes including assessing compliance with our company rules and system performance. TIE reserves the right to monitor emails sent to or from addresses under its control.

No liability is accepted for any harm that may be caused to your systems or data by this e-mail. It is the recipient's responsibility to scan this e-mail and any attachments for computer viruses.

Senders and recipients of e-mail should be aware that under Scottish Freedom of Information legislation and the Data Protection legislation these contents may have to be disclosed to third parties in response to a request.

tie Limited registered in Scotland No. SC230949. Registered office - City Chambers, High Street, Edinburgh, EH1 1YT.

---