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By email to gordon.mcnicoll@edinburghtraminquiry.org

8 August 2017

Dear Gordon,

**EDINBURGH TRAM INQUIRY
THE SCOTTISH MINISTERS
SECTION 21 NOTICE (1 AUGUST 2017)**

I refer to your emailed letter of 1 August 2017 and notice under section 21 of the Inquiries Act 2005 also dated 1 August 2017 ("the Notice") requiring the Scottish Ministers to produce to the Inquiry any document which shows or tends to show on what basis the price of £362.5m (referred to in paragraph 1 of the Agreed Key Points of Principle document signed on 10 March 2011, and in clause 6.1 of the Heads of Terms agreed by CEC, TIE, Bilfinger Berger and Siemens) was agreed at the mediation involving those parties and others held at the Mar Hall Hotel; including documents produced in advance and in contemplation of that mediation, produced during that mediation, and produced after that mediation, all between 1 December 2010 and 31 March 2011.

As you know, the Scottish Ministers have already provided to the Inquiry all material which they hold which relates to the Edinburgh tram project. Clearly, any documents which show or tend to show on what basis the price of £362.5m was agreed at the Mar Hall mediation will "relate to" the Edinburgh tram project and as such will have already been provided to the Inquiry. I would refer you in that regard to my letters to the Inquiry of 11 February, 30 July and 1 October 2015, and 17 January 2017, and the material produced therewith. I therefore confirm on behalf of the Scottish Ministers that they do not hold any other material falling within the parameters of the Notice.

Yours sincerely,

[REDACTED]
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