

Response ID ANON-PA1N-7G37-R

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Evidence

Questions about you:In order for the evidence to be analysed and taken forward by the Inquiry we will need some further information about you and / or your organisation.Please note that all evidence submitted to the Inquiry may be published at any point during the Inquiry or when the Inquiry Report is issued. If you are responding as an organisation your full details will be published.If you are responding as an individual your name will be published, but your address will only be published if the Inquiry considers this to be relevant to the evidence submitted.

Organisation Name (if applicable):

Surname:

BOURNE

Forename:

ALISON

Postal Address:

[REDACTED]

Postcode:

[REDACTED]

Phone:

0 [REDACTED]

Email:

[REDACTED]@ [REDACTED]

Are you responding as an organisation or an individual?

Individual

Does your evidence relate to a particular period of time?

Yes

If yes, what period?:

2003 to date

Does your evidence relate to a particular event or activity?

No

If yes, please explain what the event / activity was.:

We are particularly interested in:• How you found out about what was happening, and how informed you were throughout the project• What did you think would happen• What actually happened• What were the effects if any, on you (or your organisation) at the time of the project• What if any, were the on-going or longer-term effects on you (or your organisation). Please write your evidence here.

We are particularly interested in:

Dear Sirs

I understand that the Edinburgh Tram Public Inquiry Team has invited evidence from the public regarding how the tram project affected them. Both this initial statement and my subsequent detailed statement are made in a genuine attempt to assist the Inquiry's considerations.

My name is Alison Bourne. My involvement with the Edinburgh Tram Project started in the summer of 2003. At that time, I lived, as I do now, with my family at [REDACTED], Edinburgh: a semi-detached house, adjacent to the Roseburn Corridor, which formed part of the initial proposed route for the North Edinburgh Loop (Tram Line One).

My husband and I bought our house in 1989 in the full knowledge that the Roseburn Corridor had been safeguarded by the City of Edinburgh Council (CEC) for potential future transport use. Between then and 2003, there had been rumours of a tramline being introduced there, but we were relaxed, given the nature of the Roseburn Corridor as a wildlife haven, enjoyed daily by significant numbers of walkers and cyclists, that the tramline would be constructed in a way that would protect its existing attractiveness and would only proceed if it were genuinely in the public interest.

However, on attending a public consultation meeting presented by TIE in the summer of 2003, we became very concerned that, amongst other things, the tram proposal could have significant adverse impact on both our property and our locality which the promoter was not willing to acknowledge. We received informal legal advice that we should lodge a formal objection to the Tram Line (One) Bill, as was our legal right, being "directly affected" by the proposal.

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We had intended to restrict the grounds of our objections to local issues and to lobby for appropriate mitigation measures until the day when my husband, Richard, advised me that he had “just been effectively gagged” at work. At the time, he was employed as a Senior Professional Officer in CEC’s City Development Department and was the Council’s ‘Tram Partner’ for Tram Line 3 (TL3) liaising with TIE.

██████████ at the time CEC’s Transport Planning Manager (Richard’s line manager), and I discussed the situation at length. ██████████ stated that that he considered Richard to be an “outstanding engineer” and that had led to his appointment as one of CEC’s three tram liaison engineers. However, he also commented that Richard could be “a bit too honest for his own good” and that his trouble was that he “would not play the game”. For reasons which ██████████ did not explain, he did not seem to agree with my view that professional honesty in a civil engineer engaged on the tram (or any other) project, in which CEC was to be a major stakeholder, should be considered positively. However, whilst CEC expected Richard to waive his legal right to lodge a formal objection to the Tram Line (One) Bill, ██████████ conceded that CEC had no power to stop me from objecting. To protect Richard’s position at work and avoid any suggestion that he could be “assisting” me in my objection, ██████████ restricted Richard’s involvement in the tram project purely to TL3, ie, Richard was no longer present at internal tram meetings when matters pertaining to TL1 and/or 2 were to be discussed, and I understand Richard’s colleagues were told to “report back” to ██████████ if Richard appeared to be asking any “unusual questions”.

Matters proceeded in that undignified way until around 6 December 2004, just prior to the Parliamentary Committee meeting at which the Preliminary Financial Case was to be discussed and to which I had been called to give evidence. I met with ██████████ to make sure that Richard could expect no backlash as a result of my giving evidence but was immediately advised by him that ██████████ of TIE wished to have Richard called before the TIE Board. ██████████ confirmed that there were no grounds on which to question Richard’s integrity, competence or his professional performance but advised that this would be an unpleasant experience as there were many important people on the TIE Board, including Scottish Government representatives. The inference was very clear: that if I wanted to make life easier for my husband, I should not give evidence to the Parliamentary Committee and that I should desist from causing problems. I asked ██████████ to convey a message to ██████████ in no uncertain terms that we would not be intimidated and that I would be giving evidence to the Committee on the Preliminary Financial Case and any other matter I felt appropriate, and that Richard would take whatever steps necessary to protect his professional reputation.

The pressure on us at this point was unbearable and Richard immediately sought the assistance of his trade union who took the matter up with the Director of City Development, ██████████. UNISON advised ██████████ that it believed the “effective gagging of Mr Bourne is not acceptable” and that continued attacks on Richard’s professionalism and integrity would result in taking “both CEC and TIE to task in public” and involving UNISON’s legal representatives, if required. It is very hard to describe the effect this level of pressure placed upon my husband, who was unused to having his professional integrity being called into question; or of being effectively isolated from his colleagues; or of being involved in acrimonious situations. We discussed whether he should decline to work on the tram project but his answer was that he did not see why he should have to pass up an opportunity which his own competence had secured. He was very concerned that the tram project was not being progressed in the normal manner and commented that he had “never seen such political will to deliver a project” in all his then 20 years with the Council. This situation had an enormous effect upon Richard and my family life and made me determined to ascertain precisely what CEC was so concerned would become public knowledge that they would place an employee and his family in such an invidious position. However, I did not anticipate that this pressure would continue for so many years.

When a similar threat was made to Richard’s position some three years later by ██████████ successor, ██████████ again relating to the tram project, Richard realised that he then had no future as a professional Chartered Engineer at CEC. He was not prepared to compromise his professional judgement and ethical code when political will demanded – let alone his personal rights - and he, therefore, with great regret, decided to resign in September 2007.

I examined all the background documents, specifically looking for the pitfalls in the project, including those which may have given rise to Richard’s gagging. In particular, I considered the Preliminary Financial Case and how the three initial routes had been determined. I sought advice from friends with financial and technical expertise on how to read and understand the information contained in the supporting papers and identified several areas of concern immediately which I believed could be fundamental flaws. These included the methodology used to determine the route of TL1, the assumptions underlying the project, the minimal anticipated environmental benefit, the challenges posed by Victorian underground utilities, and the project’s high funding requirement, which, if left unresolved, could pose significant risk to the Council. I was also concerned by the fact that the information being given by TIE and Council representatives seemed, in some instances, to be misrepresented or contradicted by the official documentation.

The Edinburgh Tram Project at that time was supported by all Edinburgh councillors and MSPs, not least my own local ones who made it clear that, whilst they were aware of suggestions that CEC sometimes “gagged” employees, there was little they could do and that they wholeheartedly supported the tram proposal. Although my MSP, ██████████ was concerned that the Western General Hospital was not to be directly served by tram, it was very clear that my local political representatives would be prepared to ask few, if any, difficult questions on other issues for fear of jeopardising the project which they so staunchly supported. That was an early indication of the typical political response throughout the subsequent Council and Parliamentary processes, up to the point in 2011 when the full extent of the problems were finally exposed.

It was clear, that if I wanted to have my concerns about the project addressed, I would be required to make formal representations to CEC myself. I, therefore, participated in a series of deputations to Council Committees, culminating in one to Full Council in December 2003, immediately prior to the lodging of the Parliamentary Tram Bills. I e-mailed every councillor directly prior to the meeting, pointing out that, amongst other things, the report they were considering disclosed a funding gap in the project of nearly £200 million. I, somewhat naively, believed that, presented with such a snag, the Council would take steps to identify the requisite sources of funding. I was sadly mistaken and then felt obliged to raise the same issues through the parliamentary process.

Throughout both these processes, I felt my position as an objector was compromised as I was constantly worried that my actions would cause Richard difficulties at work, ie, I felt that I was effectively fighting the Tram Line (One) Bill with “one hand tied behind my back”. Many of Richard’s colleagues in City Development, however, were very supportive of our respective positions and it was encouraging to learn that quite a lot of them (at Richard’s level and below) shared many of the objectors’ concerns and were pleased that the objectors were attempting, through the Parliamentary process, to have issues resolved where they likewise had met with no success!

I cannot begin to describe the level of pressure on my family, and indeed fear, from 2003 until 2011 as I lobbied those in authority to deal with what I was convinced could be potentially significant adverse consequences to the city as a result of the tram project’s inherent flaws, risks and under-funding. Doubtless, many will say that I did not have to spend endless hours reading numerous dull and complicated reports or corresponding endlessly with politicians, Council and

Government officials who simply did not want to listen, but there appeared to be no independent scrutiny of the project and no official or politician (with the exception of ██████████, MSP) who seemed willing to scrutinise it at all. It became almost a compulsion for me to monitor the project closely to see just how bad matters would have to become before these parties, who are supposedly there to act in the public interest, actually intervened. It was, and still is, very hard to accept how little power a well-informed individual has when faced with a united, unheeding and determined political flank and the small army of officials and consultants whose job it would appear is simply to implement policy – regardless of the methods they are required to employ in doing so or potential consequences to the taxpayer.

My experience, which is now in its 13th year, has had a very profound effect upon the way in which I view local and national political leaders and the city in which I live. I have realised that there has been an attitude up until now which has allowed decision-makers to make appalling decisions in the almost certain knowledge that they will not be held accountable and the public would ultimately pick up the tab. So, when the Public Inquiry was finally announced, I was initially of the view that there would be little point in participating. However, as CEC now seems determined to proceed with the next phase of TL1, whilst simultaneously being unable to manage the huge financial consequences of the project so far and without the benefit of the conclusions of the Tram Inquiry, I intend to submit the most pertinent evidence in my possession. I do so in the earnest hope and trust that this Inquiry will secure accountability to the taxpayer and that robust measures will consequently be introduced to ensure that we do not have to suffer similar disasters in future while those responsible are allowed to simply move on to the next disaster.

Yours faithfully

Alison Bourne
29 July 2015

Do you have any documents which you think it would be useful for the Inquiry to see?

Yes

Details of documents:

Contained within my main submission to follow

Upload documents:

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Are you content for the Edinburgh Tram Inquiry team to contact you again in relation to this evidence?*

Yes