

Questions e-mailed to Neil Scales on 3 April 2018

You make reference in your responses to questions 8, 25 and 28 to interventions by City of Edinburgh Council (CEC) and Transport Scotland, (TS) which were not positive for the project. You also reference interference by CEC. You note (question 26) that both CEC and TS became more intrusive.

We'd be obliged if you could consider the following further questions.

1. Can you give illustrations and examples of intervention and interference by CEC and TS?

- We are interested in when these took place and in relation to which issues.
- What form did the interventions take?
- Did TIE, TEL or the Tram Project Board accede to the interventions?
- What was the general response to the interventions by the Boards?
- Did the Boards refuse or push back against such interventions? If so what was the reaction from CEC/TS?

2. In your answer to question 25 you make the statement:

“(This was not the non-Executive Director’s position).”

We are not sure what you mean by this, can you explain this for us?

RESPONSES TO FOLLOW UP QUESTIONS

1. The actions of CEC and TS

- As outlined in my earlier responses to your specific questions, I cannot give definitive dates and times of specific instances without direct access to the Board papers, which as I confirmed were returned to the Tie Secretariat for filing.
- I recall, when the Board was originally formed, the then CEO of CEC took, what seemed to be to me, a deliberate “hands off” approach and allowed the Board to get on with, planning, delivery and execution of matters relating to the contract.
- With the appointment of a new CEO, the existing CEO having retired, there was an obvious increase in scrutiny of financial matters and increased questions of the decision making process with detailed questions and scrutiny of almost every task and activity undertaken.
- As far as the interventions were concerned, the Board had to deal with these as they were raised, as legitimate questions. I took the view that the questioning was more detailed than it needed to be, almost forensic. These interventions, in my view, damaged the Board collegiate activity and also added a lot of time to the decision making process. As a Board, my recollection was we did push back as some of the questions were very detailed, but as both CEC and TS were significant financial contributors, it was difficult to resist.
- When we pushed back the CEC/TS representatives reverted to the position that they were principal funders and had a legitimate focus. However, the questioning in my view was adversarial.

2. Non Executive Director Question

- On my response question 25 one of my non-executive director colleagues was an employee of Transport Scotland but took his responsibilities as a non executive director most diligently and acted in the best interest of Tie. He did not question any TS positions but rather pushed back in my view.

These responses are provided with my best recollection of events, some of which were over 10 years ago.