Appendix 2: Reference Documentation

Reference	ETI Filename (available for Statement preparation in Nov 2016	ETI Filename (available from 29 June 2017)	Details
2006			
GL/2006/1 WED00000496			Email from Pat Denholm to Tom Aitchison dated 15 December 2006 entitled "FW: Tram Internal Planning Meetings"
GL/2006/2 WED00000486			Email from Gill Lindsay to Andrew Holmes(cc Jim Inch) dated 13 December 2006 (16:15) entitled "Council ReportTrams"
GL/2006/3 WED00000487			Email from Lex Harrison to Gill Lindsay (ccColin MacKenzie, Rebecca Andrew, Ewan Kennedy, Max Thomson and Duncan Fraser dated 8 December 2006 (16:22) entitled "Re: Edinburgh Tram Draft Final Business Case"
GL/2006/4 WED00000487			Email from Gill Lindsay to Lex Harrison (13:39) dated 1December 2006 entitled "Edinburgh Tram Draft Final Business Case"
GL/2006/5 WED00000488			Email from Gill Lindsay to Colin MacKenzie and Matthew Clarke dated 7 December 2006 (17:53) entitled "FW: dbfc"
GL/2006/6 WED00000488			Email from Gill Lindsay to Jim Inch dated 7 December 2006 (17:36) entitled "FW: dbfc"
2007			
GL/2007/1	CEC00389604		Document dated 18 October 2007 entitled "Edinburgh Tram Network Final Business Case Version 1"
GL/2007/2a WED00000489	CEC01714253		Email from Andrew Fitchie to Gill Lindsayand Colin MacKenzie (cc Susan Clark and Geoff Gilbert) dated 5 October 2007 (17:44) entitled "BidderNegotiations"
GL/2007/2b WED00000489	CEC01714253		Email from Gill Lindsay to Andrew Fitchie and Colin MacKenzie (cc Susan Clark and Geoff Gilbert) dated 8 October 2007 (10:16) entitled "Re: Bidder Negotiations" (including email chain)

Reference	ETI Filename (available for Statement preparation in Nov 2016}	ETI Filename (available from 29 June 2017)	Details
GL/2007/2c WED00000489	CEC01714253		Email from Gill Lindsay to Andrew Fitchie and Colin MacKenzie (cc Susan Clark and Geoff Gilbert) dated 8 October 2007 (22:46) entitled "Re: Bidder Negotiations" (including email chain)
GL/2007/2d WED00000489	CEC01714253		Email from Geoff Gilbert to Gill Lindsay and Colin MacKenzie (cc Susan Clark and Andrew Fitchie) dated 9 October 2007 {08:26} entitled "Re: Bidder Negotiations"
GL/2007/3 WED00000490			Email from Gill Lindsay to Mandy Wilson for Jim Inch dated 11 December 2007 {13:43) entitled "Tram Report"
GL/2007/4 WED00000491			Email from Kirsty-Louise Campbell to Gill Lindsay dated 10December 2007 (14:37) entitled "Risks from Report"
GL/2007/5 WED00000492			Email from Gill Lindsay to Andrew Fitchie (cc Graeme Bissett, Willie Gallacher, Matthew Crosse, Colin MacKenzie and Andrew Fitchie) dated 17December 2007 (09:41) entitled "Re: Edinburgh Tram Network - Draft Contract Suite"
GL/2007/6 WED00000493			Email from Gill Lindsay to Colin MacKenzie and Duncan Fraser (cc Rebecca Andrew, Alan Coyle and Nick Smith) dated 15 December 2007 (21:31) entitled "Re: Tram: Council Report"
GL/2007/7 WED00000494			Report dated November 2007 entitled "Review of the Tram Funding Strategy: Report to City of Edinburgh Council"
GL/2007/8 WED00000322	linked to CEC01397758		Email from Gill Lindsay to Jim Inch (11:39) dated 14December 2007 entitled "FW: Report"
GL/2007/9 WED00000323			Email from Andrew Fitchie to Gill Lindsay dated 12 December 2007 (23:34) entitled "Re: Network Rail Processes to be completed"
GL/2007/10 WED00000324			Email from Andrew Fitchie to Gill Lindsayand Graeme Bissett (cc Willie Gallacher, Andrew Holmes and David Mackay) dated 12December 2007 (23:52) entitled "CEC Resolution"

Reference	ETI Filename (available for Statement preparation in Nov 2016)	ETI Filename (available from 29 June 2017)	Details
GL/2007/11 WED00000325			Email from Rebecca Andrew to Steven McGarrity, Donald McGougan, Andrew Holmes, Willie Gallacher, Miriam Thorne, Geoff Gilbert, Colin MacKenzie, Gill Lindsay and Alan Coyle dated 12 December 2007 (09:38) entitled "TS Information"
GL/2007/12 WED00000326	CEC01500925		Email from Andrew Fitchie to Gill Lindsay dated 13 December 2007 (19:43) entitled "Re: CEC Resolution"
GL/2007/13 WED00000327	CEC01546448		Email from Andrew Fitchie to Gill Lindsay and Graeme Bissett (cc Willie Gallacher, Andrew Holmes, David Mackay, Colin MacKenzie and Hazel Moffat dated 13 December 2007 (11:14) entitled "Re: CEC Resolution"
GL/2007/14 WED00000328	CEC02083446		Minute of "14 Edinburgh Tram: (i) Contracts Acceptance and (ii) Independent Review of Tram Funding Strategy – Council Contribution" in the Committee Minutes of the City of Edinburgh Council Meeting dated 20 December 2007
GL/2007/15 WED00000329			Email from Willie Gallacher to Donald McGougan (cc Graeme Bissett) dated 7 October 2007 (18:43) entitled "Re: Tram Subcommittee Remit"
GL/2007/16 WED00000329			Email from Donald McGougan to Graeme Bissett and Willie Gallacher dated 4 October 2007 {16:55) entitled "FW: Tram Subcommittee Remit"
GL/2007/17 WED00000330		CEC01726206	Email from Robert Millar to Nick Smith (cc Gill Lindsay and Colin MacKenzie) dated 21 February 2007 (20:11) entitled "Legal Support for Tram Project"
GL/2007/18 WED00000331			Email from Kirsty-Louise Campbell to Gill Lindsay dated 19July 2007 (10:35) entitled "Work Allocation - NS"
GL/2007/19 WED00000332			Email from Gill Lindsay to Mandy Peay and Jim Inch dated 2 March 2007 (17:08)entitled "Re: GVD Notices and MinisteraiAnnouncement re Tram Business Case"
GL/2007/20 WED00000333	CEC01561544		Document entitled "Edinburgh Tram Internal Planning Group Action Note" dated 27 September 2007

Reference	ETI Filename (available for Statement preparation in Nov 2016)	ETI Filename (available from 29 June 2017)	Details
GL/2007/21 WED00000334			Document entitled "Edinburgh Tram: Further Update - Report to Council 20 September 2007"
GL/2007/22 WED00000335	CEC02083538		Draft document entitled "Edinburgh Tram: Final Business Case – Reportto Council 25 October 2007" " [Item no 8.I(a)]
GL/2007/23 WED00000336			Email from Gill Lindsay to Jim Inch dated 6 July 2007 (02:32) entitled "Trams"
GL/2007/24 WED00000337			Document entitled "Edinburgh Tram: Update (Report to The City of Edinburgh Council 23 August 2007") [Report no cec/60/07-08/ce]
GL/2007/25 WED00000338			Report entitled "Tram Project Sub- Committee: Transport Infrastructure and Environment Committee" dated 25 September 2007
GL/2007/26 WED00000339			Document entitled "Supplementary Report - Edinburgh Tram Procurement of Tramco and Infraco: The City of Edinburgh Council 25 October 2007" [Item no 8.I(b)(i)]
GL/2007/27 WED00000340	CCEC01567280 (refers to earlier email in chain)		Email from Gill Lindsay to Colin MacKenzie dated 26 September 2007 (19:16) entitled"Re: Final Business Case Draft"
GL/2007/28 WED00000340	CCEC01567280		Email from Colin MacKenzie to Duncan Fraser, Alan Squair and Nick Smith (cc Robin Goodwin, Rebecca Andrew and Gill Lindsay) dated 26 September 2007 (15:58) entitled "Re: Final Business Case Draft"
GL/2007/29 WED00000341	CEC0203536		Document entitled "Item 8.1 Edinburgh Tram: Presentation by tie Limited, TEL and City of Edinburgh Council (City of Edinburgh Council 25 October 2007)"
GL/2007/30 WED00000342	contained in CEC01566496		Document entitled "Tram Programme Summary 2007-2011" (2007) from the IPG Highlight Report of 27 July 2007
GL/2007/31 WED00000343	GL response to CEC01567628		Email from Gill Lindsay to Colin MacKenzie dated 14 September 2007 (11:46) entitled "Re: CEC Approvals of Tramco and Infraco Contracts"
GL/2007/32 WED00000344			Email from Gill Lindsay to Colin MacKenzie and Duncan Fraser dated 26 November 2007 (12:12) entitled "Re: LAC Meeting: 26 November"

Reference	ETI Filename (available for Statement preparation in Nov 2016)	ETI Filename (available from 29 June 2017)	Details
GL/2007/33 WED00000345		CEC01400078	Email from Gill Lindsay to Colin MacKenzie (cc to Alan Squair and Nick Smith) dated 28 November 2007 (16:53) entitled "Re: Tram Project"
GL/2007/34 WED00000346	GL follow up email to CEC01540814		Email from Andrew Fitchie to Gill Lindsay (cc to Colin MacKenzie and Graeme Bissett) dated 17 December 2007 (08:21) entitled "Re: Full Council Report – Edinburgh Trams Contract Acceptance"
GL/2007/35 WED00000347	Follow up email to CEC01540814		Email from Andrew Fitchie to Graeme Bissett and Colin MacKenzie (ccto Willie Gallacher, Stewart McGarrity, Steven Bell, Gill Lindsay, Duncan Fraser, Andrew Holmes, Donald McGougan, David Mackay and Neil Renilson) dated 17 December 2007 (08:41) entitled "Re: Full Council Report – Edinburgh Trams Contract Acceptance"
GL/2007/36 WED00000348	Follow up email to CEC01540814		Email from Steven Bell to Graeme Bissett, Colin MacKenzie, Gill Lindsay and Andrew Holmes (cc to Andrew Fitchie, Stewart McGarrity, Duncan Fraser and Willie Gallacher) dated 17 December 2007 (09:00) entitled "Re: Full Council Report – Edinburgh Trams Contract Acceptance URGENT"
GL/2007/37 WED00000349	CEC01391159		Document entitled "Edinburgh Tram Internal Planning Group Action Note" dated 11 December 2007
GL/2007/38 WED00000350		CEC01400101	Email from Gill Lindsay to Colin MacKenzie, Alan Squair and NickSmith dated 29 November 2007 entitled "FW:Edinburgh Tram Network – Draft ContractSuite"
GL/2007/39 WED00000351			Document entitled "Minute of the CEC/tieLegal Affairs Group Meeting (Wednesday 25th July 2007)
GL/2007/40 WED00000352			Document entitled "Agenda: Meeting with CEC Legal/ Infraco and Tramcoon 1" August 2007"
GL/2007/41 WED00000497			Emails dated 28 February 2007 from Gill Lindsay to Andrew Holmes and Donald McGougan (10:08) and Jim Inch (10:14) entitled "FW: TRAMS FOR EDINBURGH"

Reference	ETI Filename (available for Statement preparation in Nov 2016)	ETI Filename (available from 29 June 2017)	Details
2008			
GL/2008/la WED0000353 GL/2008/lb WED0000354		CEC01494162 CEC01494162	Letter from Willie Gallagher to David Leslie dated 10 April 2008 entitled "Tramway Prior Approvals and Quality Control Issues" Prior Approvals and Quality Control Prior Approvals and Quality Control Timescales" (attached to 2008/la)
GL/2008/2 WED00000355	Linked email chain to CEC01401109		Email from Dave Anderson to Andy Conway (cc Jim Grieve, Marshall Poulton, Colin MacKenzie, Alan Coyle, Gill Lindsay and Donald McGougan) dated 11 April 2008 (16:44) entitled "Re: Russell Road Bridge: Prior Approval"
GL/2008/3 WED00000356		CEC01478447 CEC01548478 (= duplicate files)	Email from Colin MacKenzie to Graeme Bissett (cc Gill Lindsay, Andrew Fitchie, Steven Bell, Geoff Gilbert, Matthew Crosse, Willie Gallacher and Duncan Fraser) dated 31 January 2008 (16:44) entitled "Re: Consents"
GL/2008/4 WED00000357	CEC01400439		Email from Mandy Wilson for Gill Lindsay to Colin MacKenzie (cc Alan Squair and Nick Smith) dated 3 January 2008 (11:56) titled "Council Report 20 December - Edinburgh Tram"
GL/2008/5a WED00000358		CEC01245223	Email from Alan Coyle to Colin MacKenzie, Gill Lindsay, Steve Sladdin and Nick Smith (cc Andy Conway) dated 15April 2008 (14:38)entitled"FW: Pricing- Commercially Confidential"
GL/2008/5b WED00000359	Interim document between CEC01451013 (18 March 2008), CEC01451382 (2 April 2008) and USB00000032 (final document -13 May 2008; not received)		Document entitled "Schedule 4: Pricing" [ETN-Schedule 4 (1504 Clean for CEC).DOC] (attached to GL/2008/5a)

Reference	ETI Filename (available for Statement preparation in Nov 2016}	ETI Filename (available from29 June 2017)	Details
GL/2008/6 WED00000360		CEC01248856	Email from Rebecca Andrew to Donald McGougan dated 2 May 2008 (09:39) entitled "FW: Continuing Delay on Financial Close"
GL/2008/7 WED00000498			Document entitled "Critical Contractual Decisions to enable Chief Executive to use Delegated Powers to approve TIE to sign the Contract with BBS"
GL/2008/8 WED00000361	CEC01406011		Email from Jim Inchto Gill Lindsay dated 12 February 2008 (11:10) entitled "Re: Agenda for Tomorrow's Meeting"
GL/2008/9a WED00000362	CEC01400987		Email from Colin MacKenzie to Gill Lindsaydated 29 February 2008 (16:22) entitled "Re: Edinburgh Tram: Chief Executive's Delegated Authority"
GL/2008/9b WED00000362	CEC01400987		Email from Gill Lindsay to Colin MacKenzie dated 29 February 2008 (11:59) entitled "Re: Edinburgh Tram: Chief Executive's Delegated Authority"
GL/2008/10 WED00000363	CEC01245400		Email from Gill Lindsay to Alan Coyle (cc Colin MacKenzie) dated 18April 2008 (16:01) entitled "Re: Council Report"
GL/2008/11 WED00000364		CEC01245473	Email from Mandy Wilson for Gill Lindsay to Alan Coyle (cc Nick Smith and Colin MacKenzie) dated 22 April 2008 (12:38) entitled "Council Report"
GL/2008/12 WED00000365		CEC01245489 (attached to CEC01245488	Letter from Donald McGougan to Willie Gallagher dated 18 April 2008 entitled "Edinburgh Tram SDS Claim Settlement"
GL/2008/13 WED00000366	linked to CEC01479715		Email from Andrew Fitchie to Gill Lindsay and Colin MacKenzie (cc Graeme Bissett,Rebecca Andrew and Colin MacKenzie}dated 9 February 2008 (13:23) entitled "CEC Guarantee"
GL/2008/14a WED00000367		CEC01349534	Email from Andrew Fitchie to Gill Lindsay (cc Graeme Bissett} dated 13 May 2008 (03:11) entitled "Front Page"
GL/2008/14b WED00000368	CEC01347798		Letter from DLA Piper dated 12May 2008 entitled "Edinburgh Tram Network ("ETN") Draft Contract Suite as at 12 May 2008" [SCAN001.PDF] (attached to 2008/14a)

Reference	ETI Filename (available for Statement preparation in Nov 2016)	ETI Filename (available from 29 June 2017)	Details
GL/2008/15 WED00000369	CEC01246992		Document entitled "Edinburgh Tram Highlight Report to the Chief Executive's Internal Planning Group" dated 16 April 2008
GL/2008/16 WED00000499		CEC01542431	Email from Andrew Fitchie to Gill Lindsay dated 19 March 2008 entitled "Re: Etn"
GL/2008/17 WED00000370	CEC01374311		Email from Andrew Fitchie to Gill Lindsay, Willie Gallacher and Graeme Bissett dated 8 May 2008 {08:52) entitled "Re: Update"
GL/2008/18a WED00000371			Email from Graeme Bissett to Willie Gallacher, Steven Bell, Dennis Murray, Susan Clark, Colin Mclauchlan, Jim McEwan, Alistair Richards, Andrew Fitchie, David Mackay, Neil Renilson, Dave Anderson, Duncan Fraser, Donald McGoogan, Rebecca Andrew and Gill Lindsay dated 12 May 2008 (01:27) entitled "Final Deal Terms"
GL/2008/18b WED00000372	CEC01338848		Document entitled "Edinburgh Tram Project: Financial Close Process and Record of Recent Events" (Close Considerations and Event History v2 12.05.08.doc) (attached to 2008/18a)
GL/2008/19 WED00000373	linked to CEC01377657		Email from Gill Lindsay to Donald McGougan and Dave Anderson dated 8 May 2008 (08:41) entitled "FW: Update"
GL/2008/20 WED00000374			Email from Willie Gallacher to Neil Renilson, David Mackay, Dave Anderson, Donald McGougan, Phil Whealer and Gill Lindsay (cc Graeme Bissett, Stewart McGarrity, Susan Clark, Alasdair Sim, Duncan Fraser and Graeme Barclay dated 14 May 2008 (00:27) entitled "Conract Update"
GL/2008/21 WED00000375			Email from Gill Lindsay to Ysella Yago dated 13 May 2008 (01:08) entitled "Final Deal Terms"
GL/2008/22 WED00000376			Email from Gill Lindsay to Dave Anderson and Donald McGougan dated 13 May 2008 (22:45) entitled "FW: LGA Letter"
GL/2008/23 WED00000377			Email from Gill Lindsay to Dave Anderson, Donald McGougan, Jim Inch and Tom Aitchison dated 13 May 2008 (23:59) entitled "Progress on Close"

Reference	ETI Filename (available for Statement preparation in Nov 2016)	ETI Filename (available 29 June 2017)	Details
GL/2008/24 WED00000378			Email from Gill Lindsay to Andrew Fitchie dated 13 May 2008 (23: 11)
GL/2008/25 WED00000379			Email from Gill Lindsay to Jim Inch and Tom Aitchison dated 13 May 2008 (22:55) entitled "FW: LGA Letter"
GL/2008/26 WED0000380			Email from Gill Lindsay to Andrew Fitchie, Graeme Bissett and Willie Gallacher (cc Nikki Hoshal) dated 13 May 2008 (22:35) entitled "Re: LGA Letter"
GL/2008/27 WED00000381	CEC01228374		Document entitled "Edinburgh Tram Internal Planning Group Action Note" dated 17 April 2008
GL/2008/28a WED0000382			Email from Stan Gary Turner (cc Deirdre Wynn, Lesley Birrell and Gill Lindsay) dated 12 May 2008 (17:46) entitled "Re: Application of Standing Orders RE Tram Report"
GL/2008/28b WED00000383			Document entitled "Tram Report – Likely Requirements Under Standing Orders" (Tram Project.doc) (attached to 2008/28a)
GL/2008/29 WED0000384 And WED00000495 Note these are not the same document			NOT USED
GL/2008/30 WED00000385			Email from Colin MacKenzie to Alan Coyle and Andy Conway (cc Duncan Fraser, Rebecca Andrew, Gill Lindsay and Nick Smith) dated 23 April 2008 (13:48) entitled "FW: Edinburgh Tram"
GL/2008/31 WED00000386	CEC01351908		Email from Gill Lindsay to Colin MacKenzie and Nick Smith dated 17 April 2008 (15:15) entitled "FW: Close Programme and Approvals"
GL/2008/32 WED0000387	CEC01351908		Email from Gill Lindsay to Jim Inch dated 17 April 2008 (15:17) entitled "FW: Close Programme and Approvals"
GL/2008/33 WED00000388	CEC01248987 CEC01248988		Email from Rebecca Andrew to Gill Lindsay dated 8 May 2008 (15:23) entitled "Re: Report to Policy and Strategy Committee"
GL/2008/34 WED00000389			Email from Gill Lindsay to Andy Conway, Alan Coyle, Rebecca Andrew, Nick Smith and Marshall Poulton (cc Duncan Fraser) dated 12 May 2008 (17:10) entitled "Re:IPG Report"

Reference	ETI Filename (available for Statement preparation in Nov 2016)	ETI Filename (available from 29 June 2017)	Details
GL/2008/35 WED00000390			Email from Andy Conway to Alan Coyle, Rebecca Andrew, Nick Smith, Gill Lindsay and Marshall Poulton (Duncan Fraser) dated 12 May 2008 (13:37) entitled "IPG Report"
GL/2008/36 WED00000391	CEC01231125		Emailfrom Dave Anderson to Gill Lindsay dated 10 May 2008 (11:37) entitled "Re: Contract Update"
GL/2008/37 WED00000392	CEC01231125		Email from Gill Lindsay to Jim Inch dated 9 May 2008 (18:08) entitled "FW: Contract Update"
GL/2008/38 WED00000393	CEC01258010 CEC01294645 CEC01294646		Email from Gill Lindsay to Donald McGougan and Dave Anderson dated 9 May 2008 (11:52) entitled "Re: Final Terms and Event History"
GL/2008/39 WED00000394		CEC01398966	Email from Graeme Bissett to Gill Lindsay dated 25 February 2008 (10:14) entitled "Re: Consents"
GL/2008/40 WED00000395			Email from Gill Lindsay to Andrew Fitchie dated 13 May 2008 (OO:OO) entitled "Re: CPS"
GL/2008/41 WED00000396			Email from Ysella Jago for Gill Lindsay to Andrew Fitchie dated 13 May 2008 (07:53) entitled "Re: Front Page"
GL/2008/42a WED00000397			Email from Nikki Hoshal for Andrew Fitchie to Gill Lindsay (cc Graeme Bissett, Willie Gallacher, Steven Bell and Alastair Richards)dated 12 May 2008 (11:41) entitled "CAF joining Consortium"
GL/2008/42b WED00000398			Document entitled "DLA Piper Report to Tie Limited and the City of Edinburgh Council Solicitor: CAF Joins BBS Consortium" [19204864_1_UKMATTERS(DLAP report to CEC re_CAF join consortium – 11.05.08).doc] (attached to 2008/42a)
GL/2008/42c WED00000399			Draft letter from The City of Edinburgh Council to BBS Consortium entitled "Edinburgh Tram Network – Infraco Contract" [19204675_1_UJ <matters(lt (attached="" 2008="" 42a)<="" bbs).doc]="" cec="" from="" td="" to=""></matters(lt>

Reference	ETI Filename (available for Statement preparation in Nov 2016}	ETI Filename (available from 29 June 2017)	Details
GL/2008/43 WED00000400			Email from Gill Lindsay to Andrew Fitchie, Willie Gallacher, Graeme Bissett and Susan Clark dated 12 May 2008 (19:30) entitled "Re: Signing Authorities"
GL/2008/44 WED00000401			Email from Gill Lindsay to Graeme Bissett and Andrew Fitchie dated 11May 2008 (22:02I
GL/2008/45 WED00000402			Email from Gill Lindsay to Andrew Fitchie (cc Graeme Bissett, Willie Gallacher, Steven Bell, Alastair Richards and Nikki Hoshall dated 13 May 2008 (00:16) entitled "Re: CAF joining Consortium"
GL/2008/46 WED00000403			Email from Willie Gallacher to Gill Lindsay dated 13 May 2008 (11:59l entitled "Re: Signing Authorities"
GL/2008/47 WED00000404			Email from Willie Gallacher to David Mackay, Dave Anderson, Donald McGougan, Gill Lindsay, Tom Aitchison, Neil Renilson and Phil Wheeler (cc Graeme Bissett, Susan Clark and Andrew Fitchiel dated 12 May 2008 (19:49) entitled "Contract Update"
GL/2008/48 WED00000405			Email from Gill Lindsay to Dave Anderson, Donald McGougan, Duncan Fraser and Rebecca Andrew dated 13 May 2008 (00:20) entitled "Re: CAFjoining Consortium"
GL/2008/49 WED00000406			Email from Andrew Fitchie to Dave Anderson, Graeme Bissett, Willie Gallacher, Steven Bell, Dennis Murray, Susan Clark, Colin Mclauchlan, Jim McEwan, Alistair Richards, David Mackay, Neil Renilson, Dave Anderson, Duncan Fraser, Donald McGoogan, Rebecca Andrew and Gill Lindsay dated 12 May2008 (13:20l entitled "Re: Final Deal
GL/2008/50 WED00000407			Email from Andrew Fitchie to Gill Lindsay (cc Graeme Bissett, Willie Gallacher, Steven Bell, Alastair Richards and Nikki Hoshall dated 13 May 2008 (11:49l entitled "Re: CAF joining Consortium"
GL/2008/51 WED00000408			Appendix 1(List of Council Reports) to document entitled "Final Business Case Council Report Draft BACK UP.doc"

Reference	ETI Filename (available for Statement preparation in Nov 2016)	ETI Filename (available from 29 June	Details
GL/2008/52a WED00000409			Email from Mandy Wilson for Gill Lindsay to Jim Inch dated 3 January 2008 (12:04) entitled "Edinburgh Tram - Council Report 20 December 2007"
GL/2008/52b WED00000410			Draft letter entitled "Edinburgh Tram – Council Report 20 December 2007" (Edinburgh Tram CEC Report 31.12.07.doc) (attached to 2008/52a)
GL/2008/53 WED00000411	Follow-upto CEC01222466		Email from Gill Lindsay to Nick Smith (cc Rebecca Andrew, Alan Coyle and Duncan Fraser) dated 2 May 2008 {16:46) entitled "FW: Closed Report - comments"
GL/2008/54 WED00000412	Follow-up to CEC01222466		Email from Gill Lindsay to Colin MacKenzie (cc Nick Smith) dated 2 May 2008 {16:41) entitled "Re: Closed Report - comments"
GL/2008/55a WED00000413	CEC01222466		Email from Colin MacKenzie to Gill Lindsay (cc Nick Smith) dated 2 May 2008 (15:31) entitled "FW: Closed Report - comments"
GL/2008/55b WED00000414	CEC01222466		Document entitled "Report on Terms of Financial Close ("Closed Report") Draftv 28.04.08" (Report on Terms of Financial Close.doc) (attached to 2008/55a)
GL/2008/56 WED00000415	CEC01222074 CEC01248981		Email from Nick Smith to Gill Lindsay dated 8 May 2008 (09:21) entitled "Re: Report to Policy and Strategy Committee"
GL/2008/57 WED00000415	CEC01222074 CEC01248981		Email from Gill Lindsay to Nick Smith dated 8 May 2008 (09:03) entitled "Re: Report to Policy and Strategy Committee"
GL/2008/58 WED00000416			Email from Gill Lindsay to Ysella Jago dated 9 May 2008 {10:19) entitled "Re: Nick Smith"
GL/2008/59 WED00000417		CEC01231624	Email from Julie Thomson for Willie Gallacher to Tom Aitchison (cc Sandra Elgin) dated 15 May 2008 (14:32) entitled "FW: Edinburgh Tram Project- Completion of Contracts" forwarded by Sandra Elgin to Dave Anderson, Gill Lindsay, Donald McGougan and Chris Highcock on 15 May 2008
GL/2008/60 WED00000418			Email from Dave Anderson to Willie Gallacher, Gill Lindsay, Donald McGougan and Duncan Fraser dated 15 May 2008 (10:04) entitled "Re: Edinburgh Tram Project - Completion of Contracts"

Reference	ETI Filename (available for Statement preparation in Nov 2016)	ETI Filename (available from29June 2017)	Details
GL/2008/61 WED00000419		CEC01399321 (spreadsheet only)	Spreadsheet entitled "Financial Close - QC Process" (2008): list of Tie responsibilities, owners and status included in document entitled "Edinburgh Tram Network: Financial Close-Approvals Process" Legal Affairs Committee 7 April 2008
GL/2008/62 WED00000420			Email from Gill Lindsay to Graeme Bissett dated 13 March 2008 (21:32) entitled "Re: Close Report and DLA Report Update"
GL/2008/63 WED00000421			.Email from Graeme Bissett to Gill Lindsay dated 13 March 2008 (21:51) entitled "Re: Close Report and DLA Report Update"
GL/2008/64 WED00000422	CEC01474537 CEC01474538 CEC01474539 CEC01474540		Email from Graeme Bissett to Gill Lindsay (cc to Willie Gallacher, Steven Bell, Andrew Fitchie and Stewart McGarrity)dated 13 March 2008 (22:27) entitled "Final Supporting Docs for Notification"
GL/2008/65 WED00000423			Email from Gill Lindsay to Donald McGougan, Andrew Holmes and Duncan Fraser dated 13 March 2008 (22:35)"
GL/2008/66 WED00000424			Email from Joanne Glover to Gill Lindsay(cc Graeme Bissett, Willie Gallacher, Steven Bell and Andrew Fitchie) dated 13 March 2008 (00:36) entitled "CEC Letter on ETN Close Out"
GL/2008/67a WED00000425			Email from Colin MacKenzie to Gill Lindsay dated 14 March 2008 (12:59) entitled "FW: Network Rail/City of Edinburgh Council — Edinburgh TramRAI/1/1893"
GL/2008/67b WED00000426			Email from Gordon M Thomson to Mike Fitzgerald dated 14March 2008 (11:49) entitled "Network Rail/City of Edinburgh Council Edinburgh TramRAI/1/1893" (attached to 2008/67a)
GL/2008/68 WED00000427			Letter from DLA Piper dated 12March 2008 entitled "Edinburgh Tram Network("ETN") Draft Contract Suite as at 12 March 2008"
GL/2008/69 WED00000428	CEC01430090		Email from Ian Laing to Andrew Fitchie, Richard Walker, M Gallagher, Flynn Michael and Herbert Fettig (cc Willie Gallacher, Graeme Bissett, Steven Bell, Geoff Gilbert and Suzanne Moir) dated 15 March 2008 (20:42) entitled "Re: Edinburgh Tram"

Reference	ETI Filename (available for Statement preparation in Nov 2016)	ETI Filename (available from 29 June 2017)	Details
GL/2008/70a WED00000429			Email from Philip Hecht to Gill Lindsay (cc Willie Gallacher, Graeme Bissett, Stewart McGarrity, Steven Bell and Andrew Fitchie) dated 16 March 2008 (17:32) entitled "Contractual Indemnity/Insurance Cover Papers"
GL/2008/70b WED00000430			Document entitled "Edinburgh Tram Network: Infraco Contract – BBP Position as at Thursday 13 March 2008 based on Infraco Contract" (attached to 2008/70a)
GL/2008/70c			Document entitled "Edinburgh Tram Network: Infraco Contract – BBP Position as at 3pm Friday 14 March 2008 based on Infraco Contract" (attached to 2008/70a)
GL/2008/70d			Document entitled "Edinburgh Tram Network: Infraco Contract – BBP Position as at Saturday 15 March 2008 based on Infraco Contract" (attached to 2008/70a)
GL/2008/71a WED00000431			Email from Gill Lindsay to Philip Hecht (cc Willie Gallacher, Graeme Bissett, Stewart McGarrity, Steven Bell and Andrew Fitchie) dated Sunday 16March 2008 (21:16) entitled "Re: Contractual Indemnity/Insurance Cover Papers"
GL/2008/71b WED00000432			Email from Willie Gallacher to Andrew Fitchie, Gill Lindsay and Philip Hecht (cc Graeme Bissett, Stewart McGarrity and Steven Bell) dated Sunday 16March 2008 (21:52) entitled "Re: Contractual Indemnity/Insurance Cover Papers"
GL/2008/72 WED00000433			Email from Andrew Fitchie to Gill Lindsay and Philip Hecht (cc Willie Gallacher, Graeme Bissett, Stewart McGarrity and Steven Bell) dated 16 March 2008 (22:26) entitled "Re: Contractual Indemnity/Insurance Cover Papers"
GL/2008/73 WED00000434	Linked to CEC01430090		Email from Willie Gallacher to Richard Walker and Flynn Michael (cc Andrew Fitchie and Steven Bell) dated 15 March 2008 (12:10) entitled "FW: Edinburgh Tram11

Reference	ETI Filename (available for Statement preparation in Nov 2016)	ETI Filename (available from 29 June 2017)	Details
GL/2008/74 WED00000435	CEC01407951		Email from Alan Coyle to Gill Lindsay (cc Colin MacKenzie) dated 17 March 2008 (14:08) entitled "Re: Contract Approvals RevIO (170308).xls"
GL/2008/75 WED00000436	CEC01407951		Email from Gill Lindsay to Jim Inch dated 17 March 2008 (15:10) entitled "Trams"
GL/2008/76 WED00000437			Email from Gill Lindsay to Andrew Holmes dated 17 March 2008 (18:01) entitled "Re: Contractual Indemnity/Insurance Cover Papers11
GL/2008/77			NOTUSED
GL/2008/78 WED00000438			Email from Willie Gallacher to David Mackay and Neil Renilson (cc Andrew Holmes, Gill Lindsay, Donald McGougan, Graeme Bissett, Andrew Fitchie, <i>Steven</i> Bell, Susan Clark, Stewart McGarrity, Geoff Gilbert, Matthew Crosse and Jim McEwan dated 17 March 2008 (19:51) entitled "Pin Notification"
GL/2008/79 WED00000439			Email from Gill Lindsay to Willie Gallacher (cc Andrew Fitchie and Andrew Holmes) dated 17 March 2008 (22:52) entitled "Re: Pin Notification"
GL/2008/80 WED00000440			Email from Gill Lindsay to Andrew Fitchie (cc Andrew Holmes) dated 18March 2008 (00:13)
GL/2008/81 WED00000441			Email from Willie Gallacher to Gill Lindsay (cc Andrew Fitchie, Andrew Holmes, Steven Bell, Neil Renilson, David Mackay and Graeme Bissett) dated 18 March 2008 (06:50) entitled "Re: Pin Notification"
GL/2008/82 WED00000442			Email from Willie Gallacher to Gill Lindsay, David Mackay and Neil Renilson (cc Andrew Fitchie and Andrew Holmes) dated 18 March 2008 (09:51) entitled "Re: Pin Notification"
GL/2008/83 WED00000443	CEC01474670		Email from Steven Bell to Gill Lindsay (cc Andrew Fitchie, Willie Gallacher, Stewart McGarrity, Mark Hamill, B Lidford and Graeme Bissett) dated 18 March 2008 (10:59) entitled "FW:"

Reference	ETI Filename (available Statement preparation in Nov 2016)	ETI Filename (available from 29 June 2017)	Details
GL/2008/84 WED00000444	linked to CEC01408044		Email from Gill Lindsay to Colin MacKenzie dated 19 March 2008 (09:37) entitled "FW: Pin Released"
GL/2008/85 WED00000445	CEC01408044		Email from Gill Lindsay to Jim Inchdated 19 March 2008 (12:16) entitled "FW: Pin Released"
GL/2008/86 WED00000446			Email from Phil Wheeler to Andrew Holmes, Dave Anderson, Donald McGougan, Gill Lindsay and Willie Gallacher dated 19March 2008 (16:11) entitled "Tram Scheme"
GL/2008/87 WED00000447			Emailfrom Gill Lindsay to Willie Gallacher (cc Andrew Fitchie) dated 18 March 2008 (17:39) entitled "Re: "
GL/2008/88 WED00000448	included in CEC0149192		Email from Willie Gallacher to Gill Lindsay, Donald McGougan, Andrew Holmes, David Mackay, Neil Renilson, Peter Strachan, Kenneth Hogg, Brian Cox, Hazel Cheney and Phil Wheeler dated 21 March 2008 (10:21) entitled "Contracts Update"
GL/2008/89 WED00000449			Email from Gill Lindsay to Andrew Fitchie (cc GBi) dated 19 March 2008 (19:09) entitled "Re: Etn"
GL/2008/90 WED00000450			Email from Gill Lindsay to Jim Inchdated 20 March 2008 (19:32) entitled "FW: Trams"
GL/2008/91 WED00000451	CEC01408254		Email from Gill Lindsay to Jim Inch andColin MacKenzie dated 23 March 2008 (16:39) entitled "FW: Trams Settlement Issues"
GL/2008/92 WED00000452			Emailfrom Alan Coyle to Gill Lindsay and Colin MacKenzie dated 16April 2008 (10:36) entitled "Re: Pricing-Commercially Confidential"
2009 GL/2009/1a WED00000453	CEC00900262		Email from Alan Coyle to Gill Lindsay (cc Max Thomson and Marshall Poulton) dated 25 March 2009 (11:40)entitled "Re: Supplemental Agreement – PDF Version"
GL/2009/1b WED00000454			Supplemental Agreement (OSSA) dated 20 March 2009 (attached to 2009/la)

Reference	ETI Filename (available for Statement preparation in Nov 2016)	ETI Filename (available from 29 June 2017)	Details
GL/2009/2 WED00000455			Emailfrom Colin MacKenzieto Gill Lindsay dated 8 April 2009 (16:25) entitled "FW: Council Report"
GL/2009/3 WED00000456			Email from Alan Coyle to Nick Smith, Marshall Poulton, Colin MacKenzie and Andy Conway (cc Gill Lindsay) dated 8April 2009 (17:25) entitled "Re: Council Report"
GL/2009/4 WED00000457			Email from Marshall Poulton to Gill Lindsay, Alan Coyle, Max Thomson, Colin MacKenzie, Nick Smith and Andy Conway (cc Dorothy Gray) dated 7 April 2009 (20:43) entitled "Tasks set by Chief Exec"
GL/2009/5a WED00000458			Email from Nick Smith to Alan Coyle, Marshall Poulton, Colin MacKenzie and Andy Conway (cc Gill Lindsay) dated 8April 2009 (16:43) entitled "Re: CouncilReport"
GL/2009/5b WED00000459			Document entitled "Edinburgh TramNetwork – Update Report: The City ofEdinburgh Council 30 April 2009" (Item no 9.2; Report no cec/172/08- 09/CD+F)
GL/2009/6 WED00000460			Email from Andy Conway to Marshall Poulton, Alan Coyle, Nick Smith, Colin MacKenzie, Gill Lindsay and Max Thomsondated 8 April 2009 (15:57) entitled "Action Note from today's "Commando" meeting"
GL/2009/7a WED00000461			Email from Andy Conway to Marshall Poulton (cc Max Thomson, Alan Coyle, Nick Smith, Colin MacKenzie, Leanne Mabberley and Gill Lindsay) dated 9 April2009 (17:03) entitled "Group Leaders Briefing Note"
GL/2009/7b WED00000462			Document entitled "Group Leaders' Tram Briefing Note – Tuesday 14April 2009" (Councillor Tram Briefing 14April 2009 – Councillors Version.doc) (attached to 2009/7a)
GL/2009/8 WED00000463	CEC00860021		Document entitled "Edinburgh Tram Highlight Report to the Chief Executive's Internal Planning Group" dated 29 April 2009

Reference	ETI Filename (available for Statement preparation in Nov 2016)	ETI Filename (available from 29 June 2017)	Details
GL/2009/9 WED00000464			Email from Alan Coyle to Marshall Poulton and Colin MacKenzie (cc Gill Lindsay, Nick Smith, Ailie Wilson and Max Thomson) dated 9 June 2009 (08:46) entitled "FW: Edinburgh Transport: Integration of Bus and Tram"
GL/2009/10 WED00000465	CEC00659130		Document entitled "Edinburgh Tram - Critical Issues to be discussed at the Special IPG on 27 July 2009: Decision required to be taken for the finalisation of the Council Report for 20th August 2009"
GL/2009/11 WED00000466			Tram IPG Action Note dated 27 July 2009
GL/2009/12 WED00000467			Email from Gill Lindsay to Marshall Poulton dated 24 July 2009 (16:42) entitled "FW: Draft Council Report - Edinburgh Tram Private and Confidential"
GL/2009/13 WED00000468			Email from Carmel Riley to Councillors, John Sturt, Gill Lindsay and Directors & Business Managers dated 17 August 2009 (08:42) entitled "Council 20 August 2009"
GL/2009/14 WED00000469			Email from Colin MacKenzie to Gill Lindsay (cc Mandy Wilson) dated 27 July 2009 (10:21) entitled "FW: Tram DRP issues"
GL/2009/15 WED00000470	Draft version preceding CEC00823532		Document entitled "Edinburgh Tram Project – Status Report (DRAFT Private and Confidential): The City of Edinburgh Council 20th August 2009"
GL/2009/16 WED00000471			Email from Evelyn MacKenzie to Alan Coyle, Andy Conway, Barry Leathern, Colin MacKenzie, Dave Anderson, Donald McGougan, Dorothy Gray, Duncan Fraser, Gill Lindsay, Isabell Reid, Jim Inch, Mark Turley, Rebecca Andrew, Sheena Raeburn, Sheila Dove, Tom Aitchison and Marshall Poulton dated 23 July 2009 (14:49) entitled "Tram Project – IPG and CMT"
GL/2009/17 WED00000472			Document entitled "Edinburgh Tram Highlight Report to the Chief Executive's Internal Planning Group" dated 19August 2009
GL/2009/18 – not in original Annex WED00000473			

Reference	ETI Filename (available for Statement preparation in Nov 2016)	ETI Filename (available from 29June 2017)	Details
GL/2009/18a WED00000474			Email from Alasdair Sim to David Mackay, WW Campbell, Dave Anderson, Sheena Raeburn, Donald McGougan, Donna Roger, Phil Wheeler, Richard Jeffrey, Steven Bell, Stewart McGarrity, Alastair Richards, Graeme Bissett, Marshall Poulton, Dorothy Gray, Brian Cox, Carol Perkins, Kenneth Hogg, Allan Jackson, Gordon MacKenzie, Ian Perry, N Strachan and Peter Strachan (cc Susan Clark, Andy Conway, I Coupar, Frank McFadden, Alan Coyle, Gregor Roberts, Gill Lindsay, Jim McEwan, Dennis Murray, Tom Buchanan, Maggie Chapman, Ailie Wilson and Claire Murray) dated 1September 2009 (09:50) entitled "Edinburgh Tram —Tram Project Board 26 August 2009"
GL/2009/18b WED00000475			Document entitled "Edinburgh Tram Network Minutes (Strictly Private and Confidential) Tram Project Board Meeting 26 July 2009" (26-08-09 TPB minutes.pdf) (attached to 2009/18a)
GL/2009/19 WED00000476			Pro forma status update on Worksteams from inhouse Legal Services team dated 8 July 2009
GL/2009/20 WED00000477			Agenda and Briefing for Members for Meeting to discuss Strategy for Edinburgh Tram: Traffic Regulation Orders held on 14 August 2009
GL/2009/21 WED00000478			Tram IPG Action Note dated 19August 2009
GL/2009/22 Following are Inquiry refs for these docs CEC00739552 CEC00843272			Document entitled "Edinburgh Tram Network Minutes (Strictly Private and Confidential) Tram Project Board Meeting 29 July 2009" (includes "Edinburgh Tram Project – Delivery Organisation Period Progress Report (Issue 1)" for Progress Meeting Date of Period 05)
GL/2009/23		CEC00668079	Document entitled "Edinburgh Tram Highlight Report to the Chief Executive's Internal Planning Group" dated 30 September 2009

Reference	ETI Filename (available for Statement preparation in Nov 2016)	ETI Filename (available from 29 June 2017)	Details
GL/2009/24a WED00000479	Updated version of CEC00900419, CEC00900404		Email from Mandy Wilson for Gill Lindsay to Colin MacKenzie and Nick Smith (cc Marshall Poulton) dated 14 April 2009(11:31) titled "Legally Privileged and FOISA Exempt"
GL/2009/24b WED00000480	Updated version of CEC00900405		Document entitled "Analysis re DRP: 7 April 2009" [Update re DRP 14042009 HW.doc] (attached to 2009/24a)
GL/2009/25a WED00000481	CEC01003720		Email from Andrew Fitchie to Gill Lindsay (cc Chris Horsley) [Strictly Confidential and FOISA Exempt] dated 20 April 2009 (18:23)
GL/2009/25b WED00000482	CEC01003721		Document entitled "Edinburgh Tram Network- Summary Paper on DRP Issues" [24153061_3_UKMATIERS(Paper on DRP Issues-20 April 2009).DOC] (attached to 2009/25a)
GL/2009/26 WED00000483			Email from Gill Lindsay to Andrew Fitchie dated 8 April 2009 (18:51) entitled "Re: Contact"
GL/2009/27 WED00000484			Email from Andrew Fitchie to Gill Lindsay dated 13 April 2009 (17:42) entitled "Re:Edinburgh Tram: Strategic Options and DRP"
GL/2009/28 WED00000485			Email from Andrew Fitchie to Gill Lindsay dated 1June 2009 (16:09) entitled "Re: DRP"

Appendix 3: Abbreviations Used in this Statement

BB Bilfinger Berger

BBS Bilfinger Berger and Siemens Group

BSC Bilfinger Berger and Siemens Consortium

CEC The City of Edinburgh Council

CMT Council Management Team

DRP Dispute Resolution Process

DLAP DLA Piper

ETN Edinburgh Tram Network

FTE Full Time Equivalent

Infraco Infrastructure provider and maintenance

IPG Internal Planning Group

LAG Legal Affairs Group (latterly renamed the FCL Group)

MoU Memorandum of Understanding

MUDFA Multi Utilities Division Framework Agreement

OA Operating Arrangement

OJEC Official Journal of the European Union (previously Community)

OSSA On Street Supplementary Agreement

QRA Quantified Risk Allowance

SDS System Design Services

TEL Transport Edinburgh Limited

Tie/TIE Transport Initiatives Edinburgh

TPG Tram Project Board

Tramco Vehicle supply and maintenance

TS Transport Scotland

Appendix 4: ADDENDUM TO WITNESS STATEMENT dated

2 October 2017

I have provided an Addendum of information to assist the inquiry by expanding my Statement regarding my duties and responsibilities and for clarity in response to other inquiry evidence regarding myself.

Appointment as Council Solicitor:

Appointment as Depute Council Solicitor in 2001 and as Council Solicitor in February 2004. My appointment as Council Solicitor followed an external recruitment exercise which is a Council requirement. This mandatory Council requirement was managed by the Department of Human Resources in Corporate Services and the Director of Corporate Services had previously been the Head of HR Services. My appointment was not therefore a ring-fenced internal appointment.

My appointment as Council Solicitor resulted from an extensive recruitment exercise with the final stages of interview involving selection from myself as the only remaining internal candidate and two external candidates. As reported in the supplemental Report (GL/2004/1) to the Council Meeting on 19 February 2004, "The Committee interviewed three candidates on 18 February 2004 and unanimously agreed to recommend that G Lindsay be offered the post of Council Solicitor, Department of Corporate Services".

Role of Council Solicitor:

In the period to 1 December 2009, I undertook all the functions and responsibilities of Council Solicitor including managing the legal teams of:

- litigation
- commercial property
- licensing (including liquor, taxi/private hire cars, houses in multiple occupation, gambling and public entertainment, event licensing and Clerk to the Licensing Board)
- District Courts
- · commercial practice
- planning
- all Joint Boards and Lothian Pension Board.

I can confirm that I was not at any time seconded to or embedded within a Council team to work on Edinburgh Trams. At no point did my title include any reference to Edinburgh Trams. All relevant principal solicitors, the Depute Council Solicitor and the Division's Business manager, reported to me in relation to the legal work, business, staff and budgets within these teams and the Legal Services Division. Excellent relationships were in place.

The role of Council Solicitor was extremely demanding and challenging. I was highly committed and dedicated to providing a high quality legal service. I typically worked

between 55-60 hours per week and ensured that I was contactable by phone, text and email in the evening, at weekends and when on annual leave. One of the key management challenges of being Council Solicitor was delivering a balanced budget for the Legal Services Division and Department.

In terms of detailing the operating environment in Legal Services:

In addition to all the legal work within these teams in late 2007 and early 2008, key examples of additional legal work and challenges were placed on me in relation to:

The transfer of District Court functions, staff and records to the Scottish Courts
 Administration as Edinburgh was an early adopter of Scottish courts unification.

This included liaising with Scottish Courts administration, staff and unions in relation to the TUPE transfer of staff in my Division, effective and seamless transfer of all District Court business and current and past records of activities, fines and records.

I was also required to manage the estate building of the District Courts as the property costs remained within my budget and to seek a tenant or income in respect of that building.

Particular staff issues arose relating to staff terms and conditions, working conditions, alignment to new posts within Scottish Courts and matters of staff pensions, which required my direct involvement.

Particular issues required attention as the Council had no previous experience of Scottish Courts unification and there was a lack of clarity in the detail of new positions and job descriptions and in relation to transfer terms and conditions of staff.

 In relation to Licensing, the relevant Principal Solicitor can confirm that all matters of strategic importance in relation to Licensing were brought to me for my attention and required involvement including during that period the strategic issue of Edinburgh's policy of restriction on the numbers of Taxi Licenses and the Salteri court decision (Court of Session appeal decision) and the implications for the Council's policy and legal determination of licence applications and the determination of unmet need and the Council's Survey of Demand. This issue had considerable strategic and legal and operational significance for Licensing within the City, for Licence holders, potential holders and customers.

With the relevant Principal Solicitor, the matter was widely researched with guidance available for England and Wales examined as the guidance was not yet available from the Scottish Government, OFT guidance, Counsel's opinion sought in relation to applications and appeals, liaison with relevant persons and detailed reporting on the matter to the full Council meetings on 23 August 2007 and 25 October 2007 (Report Item 8.2) on the implications of retaining the existing policy and the implications of removing the restriction on taxi licence numbers and the

change in procedures considered necessary to continue with this policy following the appeal decisions.

 In relation to litigation, the strategic issue of Equal Pay and related litigation and advice in respect of both female and male employees was dominant through this period.

This was a historic issue for local authorities with very significant HR, legal, staff and financial implications in relation to present cases, settlements and future actions on Edinburgh and other Local Authorities to ensure pay grades and systems were robust in the future and transitional and legal provisions were in place for relevant staff and staff grades.

 Review of Legal Services Division: consideration of staff, budgets and delivery and link with Council Secretary to make cost savings. Reports to Council on 29 May 2008 (GL/2008/94) and 12 March 2009 (GL/2009/30) acknowledge the high quality of legal services provided despite the extensive and acute budgetary pressure in 2008 and a moratorium on filling of vacancies.

"The Council wide financial pressures resulted in a number of key vacancies not being filled for an extended period of time"

"The current funding position has resulted in available resources for funding for core services being at a critically low level at a time when activity is rising"

In respect of Legal Services staff, these Reports state that they "have continued to deliver a highly professional service" and "Their dedication and commitment has gone beyond what can be reasonable expected with many working long hours to meet client needs".

Further statements include: "Feedback from Directors...has been appreciative of the dedication and commitment of staff and their availability to the Department and their successes against a background of acute resourcing particularly throughout 2008".

Customer satisfaction was excellent in each of the four financial years from 2005 to 2009, notwithstanding the budgetary pressures and acute resourcing, with consistent customer feedback scores of at least 91% satisfaction based on the results of approximately 170 survey returns per annum. The results confirm "the commitment, ability and achievements of all staff in the Division throughout a difficult financial period for the Department".

Legal Services Budget and Resources:

In relation to Mr Inch's evidence that I was expected to delegate work and responsibilities throughout this relevant period, the budget for Legal Services Division was extremely

compromised with a firm vacancy freeze, reducing budget coupled with aggressive and increasing income targets.

In the budget submission for Elected Members (GL/2007/42a, GL/2007/42b and GL/2007/42c), my correspondence with the Director states that resources within the Division are, in my words, "beyond critical" and my request for the Director to present this to Elected Members for their awareness through the budget process. The term "beyond critical" is not a term that I would have used lightly but reflected the significant budgetary and resource pressures on delivering legal services for the Council. My email to the Director of 29 November 2007 at 17.11 states:

"As advised at the meeting, I am concerned to note that information provided below for the budget pack has still largely not been included and the acute levels of current resourcing have not been highlighted despite my repeated requests to explain the positioning to members."

Please see comment on Licensing income and fee assumptions and the position of Elected Members. In terms of the Legal Services review I confirm:

"The next financial year will not bring both savings and improvements"...."No revenue funding or budget in place to fund core legal services."

The above concern was not presented to Elected Members by the Director through the budget process. It is a matter for individual Directors to determine their budget allocation within their Departments and to determine the information to be presented and discussed with Elected Members during that budget process. The allocation for Legal Services from within the Department of Corporate Services budget for the relevant period shows a 12% reduction in budget in relation largely to staff costs together with an increasing income target of 14% (GL/2007/42c). The majority of the Department of Corporate Services was fully revenue funded to cover all as the figures show.

The Legal Services Division was the only Division within the Council which was faced with such a reduction to compensate for smaller reductions or growth in the wider Department of Corporate Services Budget including supporting the E-Government/ICT Division.

The Legal Services Division was the only support service Division within the Council which had such aggressive income targets which were in place to support the budget of the wider Department of Corporate Services and increasing targets which resulted in the Legal Services Division requiring to tender externally to seek to win work in competition with other private sector providers to gain income.

The Legal Services Division successfully sourced work from other Local Authorities in respect of Court of Session Agency work, which required to be undertaken and billed and managed, in addition to all legal work from the Council and its Joint Boards with the reduced budget and staff numbers.

The Budgets for each Division within the Department of Corporate Services were set by Mr Inch, Director of Corporate Services, who was responsible for all communications to and from Elected Members in relation to budgets and who set individual budgets for each Division.

The requirement to reduce spend to meet reduced budget and increase income to meet increasing income targets was, following discussions within the Department, a non-negotiable and absolute requirement. The pressures of increasing work within the Division, the reduced staff numbers, non-filling of vacancies and increased income targets were such that the Director was well aware of the workload pressures within the Division.

It is incorrect to state that there was any capacity whatsoever within the Legal Services Division for me to delegate any of my work or responsibilities. The reverse is the case with more and increasing functional work requiring to be undertaken by myself due to demand and budget pressures. This was well known within the Department and Council and it was accepted by Directors that support services were vulnerable to difficult budget cuts when the Council required to make savings and support direct client facing services and Departments.

The requirement of service Departments themselves to make savings had the impact of increasing work within the Legal Services Division as new methods of creating savings and delivering services created additional demand for legal services.

External legal opinion was sourced regularly as required. Advice from external Counsel were sought regularly on a wide range of significant legal matters in the interests of the Council.

Position of Council Solicitor in the City of Edinburgh Council structure:

During my period as Council Solicitor, seven Directors (Finance, City Development, Corporate Services, Services for Communities, Health & Social Care, Education and Sports & Leisure) reported to the Chief Executive with these eight officers comprised the Council's Executive Management Team. Some CEC staff refer to these eight officers as the Directorate.

The position of Council Solicitor was as a Head of Service post reporting to the Director of Corporate Services. There were approximately 7 Head of Service posts in the Department of Corporate Services and approximately 40 - 50 Head of Service posts across the seven service areas above managed by the Directors.

All the Head of Service posts were equivalent in seniority and were not part of the "Directorate" and reported to their relevant Director. The Council Secretary in Committee Services within the Department of Corporate Services had very direct access to Elected Members as that role involved the direct provision of support to the Councillors of managing Council business and including IT facilities, staff and training.

In my interview for Council Solicitor, I had presented a strategy for closer and direct engagement of the Council Solicitor with the Elected Members. Although this proposed approach was viewed positively by the Elected Members on my interview panel, I was advised by the Director of Corporate Services following my appointment that contact with Elected Members required to be only through his post.

Elected Members did contact me directly with queries which I was pleased to assist with but in my role of Council Solicitor, I could not directly contact Elected Members regarding the Legal Services Division.

I sought again to have more direct contact at the commencement of the new Council Administration in 2007, to assist. Again the Director of Corporate Services clearly confirmed that the contact arrangements for Elected Members/Groups in the new Administration and arrangements were by himself personally in respect of his Department and he would seek attendance by a Head of Service at a particular meeting if he considered it was required. These were the reporting arrangements in the Department of Corporate Services.

Amalgamation of the roles of Council Solicitor and Council Secretary in 2009 in the post of Head of Legal and Administrative Services changed the above position and provided the postholder, Mr Maclean, with full and unrestricted direct access to Elected Members. This provided full opportunity to directly engage with the Council Leader, Leaders of the individual political parties and with all Councillors. I understand this post had a seniority amongst other Heads of Service within the Department of Corporate Services.

Period between 1 December 2009 and July 2010:

I recall receiving a personal letter from the Director of Corporate Services summarising my duties during this period but my recollection is that it was a short letter in Mr Inch's style. As the Alternative Business Models project was a project where the Programme Director was a member of Mr Inch's staff, I would expect this section to have more detailed comment. Review of the letter will be useful to assist if this document is that which I recall.

Notwithstanding the content of the letter from the Director of Corporate Services, my duties changed at commencement of this period by a highly significant issue regarding procurement evaluation and award of Health & Social Care contracts which arose in Mr MacLean's first day at CEC.

My recollection of the issue was that a joint Report to Council prepared by the Director of Finance (which provided procurement services at that time), the Director for Health & Social

Care and the Director for Services for Communities had been approved at a previous Council Meeting.

This approval of tender decision by the Council would impact the award of contracts for personal care services (covering 12 contracts from recollection) being sensitive and personal services for personal care. The Council received challenge correspondence containing detailed matters regarding the evaluation and a "re-evaluation" and had detailed knowledge of matters.

On my receipt I considered there was sufficient credible information and detail of a potential challenge and that, if the information was correct, there was a real concern that decisions could be unsound and contrary to law and the Council may well not be able to successfully defend a challenge threatened in regard to the selection of the successful tenderers and contract award.

I discussed the matter and these concerns with Mr Maclean who did not initially consider that this would present any issues for the Council. The provisions of public procurement are highly regulated at EU and domestic law and provisions require to be complied with to ensure fair selection and fair competition. We agreed that I should call Mr Inch as Director of Corporate Services and Monitoring Officer that evening to alert him and he requested a fuller briefing the following morning and for the Chief Executive to be updated the following day.

A highly intensive period followed of considering at a very high level the impact of the "reevaluation" and use of a "confidence factor" during the procurement exercise to determine
whether these difficulties had affected the selection decisions taken. The evidence quickly
emerging was that this appeared to be the case. Difficult meetings at Director level and
senior political level took place to consider and update and determine actions. The agreed
way forward was for a further period to consider the evaluation material more closely in
consultation with Senior Counsel and I was asked to directly undertake this role to assist.

This involved commencing an extensive and highly intensive exercise of legal review of evaluations and procurement, Elected Member reporting and a weekly Executive Group of all relevant three Directors, the Director of Corporate Services and myself. Mr Inch advised he required me to deal with the matter personally as Mr MacLean had just commenced in his role and had various introductions and commencement activities and as it related to a public sector procurement. Mr Inch also advised he required me to liaise with the Chief Executive and his office.

I was asked to provide particular support to the Chief Executive who wished me to take a personal role in the matter as this matter involved three of his Directors and I was asked to

co-ordinate all the Chief Executives' correspondence and actions on this matter with internal staff, Elected Members, external organisations with close involvement in supporting adults with care needs and the present and existing contractors and the new contractors who were expecting to be awarded the new contracts and have relevant transfer of staff to them and to commence preparations for contract award and commencement. This was a highly intensive, immediate and demanding role and was to be my immediate priority.

Addressing the Health & Social Care issue was agreed with the Chief Executive, Director of Corporate Services and Mr Maclean as my highest priority at the time due to the political and public profile and sensitivities and the potential financial and reputational damage to the Council (GL/2009/29, GL/2010/1).

Most of my time during December 2009 and January 2010 was spent addressing the significant Health & Social Care issue with the remainder on progressing the Alternative Business Models project which was also a highly internally sensitive project with three functional streams for large scale transformational outsourcing of Council services, the desire to facilitate other Local Authorities being able to draw from the awarded contracts and constant and expected challenge from relevant Unions on the process. External legal support for the project was being procured but not yet in place and timescales were urgent.

Nick Smith was continuing to work on the Trams project and had been reporting to the Head of Legal and Administrative Services since 1 December 2009 as expected. Mr Maclean took a significant role in the Edinburgh Trams Project from January 2010 as evidenced by email and meeting records which I was not copied on. It was not responsible to exclude this information from me.

These include the "Trams Potted History" email from Nick Smith (reviewed by Alan Coyle) to on 8 January 2010 (CEC00473789) and correspondence between Mr Maclean and others between 21-22 January 2010 (CEC00473835). Several other emails evidence Mr Maclean's considerable involvement in the Trams project from January 2010.

The inquiry records also show that although I sought information to assist the internal team as I had been asked to do, information was often not shared and I was not included in the internal legal team's communications and actions, including seeking a Dundas & Wilson opinion on termination and on enhancing the internal team with an additional Solicitor and former colleague of Mr Smith.

With regard to Mr Maclean's written evidence that he had no role whatsoever in the Edinburgh Tram project between 1 December 2009 and August 2010, this is entirely inconsistent with the Inquiry evidence and the position. Mr Maclean's responsibility related to all work including legal work within the new Division from the date of his appointment in accordance with his contract of employment.

I did raise concerns with the Director of Corporate Services that I was receiving little information about the Trams project and he asked me to continue to try to keep a watching brief on the project which I did. The records show that I was largely not included in relevant meetings and correspondence by the internal legal team at that time.

I remained in regular contact with Mr Maclean regarding the Tram project and he was updated on all activities by Mr Smith and our discussions. In terms of the IPG, I continued to attend the IPG meetings between 23 December 2009 and 12 May 2010 with Nick Smith as requested by Mr Inch. The Action Notes of meetings during this period indicate that there were few Actions assigned to Nick Smith and myself during this period compared to the larger number of Actions allocated to the Directors of City Development, Finance and Corporate Services, the Tram Monitoring Officer and Finance (Alan Coyle) and City Development staff (Andy Conway) in respect of all relevant contract management and related issues relevant at that particular time.

In my opinion, I consider that Mr MacLean is not accurate in the comments regarding myself in his statement and seeks to deflect for his own reasons and I believe he is not in good faith or good leadership in so doing. I do not recognise the comments in his statement and it does not accord in any way with the evidence or the thanks and very kind feedback I received from my extensive and intensive role in respect of the Health & Social Care arrangements, the thanks received from each and every workstream and staff at all levels and Departments and the Programme Director for the Alternative Business Models project. The Legal Services Divisions internal staff member working with me on the Alternative Business Models project expressed her thanks and appreciation constantly for my help and support to her and transfer of skills and knowledge. Excellent relationships were in place.

Clearly I sought to undertake my role within the internal legal team constantly and in the utmost good faith. At the time we had a very good working relationship without issues and I do not recognise any presentation by him at the time of any issues whatsoever. Mr Maclean's evidence seeks to disassociate himself and undermine others. Rather he could have advised that he had chosen to exclude me in this particular project, that I was very fully engaged on business matters and continued to assist and support the team constantly and immediately on all activities. There were no actions requested by Mr Maclean which were not immediately actioned.

In terms of balance, I am not aware of any difficulties which may have been experienced by Mr Maclean in relation to Edinburgh Trams or any matter since December 2009.

Mr Maclean did not exhibit or advise of any difficulties whatsoever. He regularly sought me out to discuss and assist him with various matters in his role. I am certain that if there was any additional support which he did or did not wish, he would have said so. That was the relationship displayed to me.

I provided every support and assistance to Mr MacLean when he commenced on 1 December 2009 in the role of Head of Legal and Administrative Services, as I would have done for all or any new colleague. This was a promoted post and I provided total support recognising his post and position and providing every assistance with handover and all work matters.

Costed Risk Review for Edinburgh Trams

I had no role in the costed risk review for Edinburgh Trams nor whether that should be undertaken by a consultant or OGC. These were matters for the client Departments of City Development and Finance and the relevant staff and Directors.

No Role in Respect of Business Case or Affordability of the Edinburgh Trams project

I had no role in respect of business case or affordability of the Edinburgh Trams project. There are no documents detailing that role to me. All the evidence is to the contrary. At no time did I report to the Directors of City Development or Finance. There are no documents detailing that role to me. My reporting structure was to Mr Inch, Director of Corporate Services.

Finance staff (Rebecca Andrew, Alan Coyle) reported to the Director of Finance, the Statutory Finance Officer. City Development staff (Duncan Fraser, Andy Conway) reported to the Director of City Development.

Review of Council Companies (Report to Council Meeting on 1 May 2008)

Clarification in relation to Council Companies and governance is provided in the Report to Council of 1 May 2008 on the Review of Council Owned, Arms Length Companies and Joint Ventures by the Director of City Development (GL/2008/93).

The Report clarifies that the Companies Strategy Group, set up and chaired by the Chief Executive and attended by the Directors of City Development, Corporate Services and Finance, currently oversees the strategy for all Council Companies. The Council owned companies and joint ventures within the scope of the review were:

- CEC Holdings Limited
- The EDI Group Limited
- Waterfront Edinburgh Limited

- · New Edinburgh Limited
- PARC Craigmillar Limited
- Edinburgh International Conference Centre Limited
- Edinburgh City Centre Management Company Limited
- Shawfair Developments Limited

TIE and TEL were not regarded nor operated by the Council in a similar way to the Companies detailed above. TIE and TEL were wholly owned companies to deliver and oversee the procurement and operational delivery of Edinburgh Trams as agent for the Council as Statutory Undertaker. The objectives were aligned. The requirement to create and deliver the project through this structure was a funding requirement placed on the Council by the Scottish Government. The Council remained the owner of the infrastructure. All consultants were required to be procured with a duty of care to the Council, recognising the delivery structure.

A letter from Rees and Freres, solicitors and parliamentary agents, of 15 December 2003 (GL/2003/1), in considering the identity of the Promoter of the Bill for the Tram Acts and the commissioning and contract for solicitors and parliamentary agents, states:

"TIE is not an independent entity, and should be treated for what it is, namely a creature of the Council and one whose functions is to assist the Council in delivering the Council's Transport Strategy including the two Bills."

It further states:

"The Consultants so far engaged for the promotion of the Bills should be re-engaged by the Council as the Council's consultants having a duty of care, and being accountable, to the Council. However TIE, as project manager, would manage the consultants on behalf of the Council and they would, unless the Council should otherwise decide, receive and act in accordance with instructions given by TIE."

Design Risks

In respect of design, I was not advised of Mr Fraser's view that a risk premium or allowance of £25 million in the Council Report in December 2007 should be in place nor that he had suggested such to his Director, The Director of City Development (Andrew Holmes), nor that the Director of City Development had considered the matter, not agreed and/or instructed its removal from a draft Report to Members.

I was not aware that this information was known by Colin MacKenzie and Nick Smith and discussed at their Legal & Property meeting with colleagues from City Development and Planning on 20 November 2007 until receiving document CEC0137445 via the Inquiry. I am not aware if this was advised to Mr Inch, Director of Corporate Services and Monitoring Officer, for his awareness of matters and risk profile and in relation to the role of Mr Holmes as a Member of TPB and Council Director, for transparency. I would have done so had I

CEC0137445 should be CEC01397445 known or been advised in relation to both its recommendation by Mr Fraser and its potential removal by Mr Holmes, for awareness and information.

Briefing of Elected Members

For clarification, I was not involved in or responsible for briefing Elected Members on Reports in relation to Edinburgh Trams. Council and Inquiry records show that this was the role and responsibility of the Director of City Development, Director of Finance, the Chief Executive, various staff within the Departments of City Development and Finance and by Tie and TEL.

I was not involved with briefing of Group Leaders or Elected Members on the Edinburgh Tram Project although the records show that other female members of staff such as Rebecca Andrew (Finance) and the communications role (Corporate Communications) were involved.

I did not author, submit or present any Reports on the Edinburgh Tram Project to Council Meetings. The records show that Reports to Council on the Edinburgh Tram Project were presented by the Director of City Development and the Director of Finance and authored by staff in their Departments such as Alan Coyle, Andy Conway and Duncan Fraser.

For reference in terms of general Reports to Council, there was no mandatory requirement for Directors to obtain advice from Legal Services or to incorporate advice received.

I was not a full member of the Internal Planning Group (IPG) and Legal Services. Myself, Colin MacKenzie and latterly Nick Smith, attended these meetings solely in a support capacity to the Directors and Chief Executive. Duncan Fraser and Andy Conway collated and presented the Reports to the IPG meeting.

TPB meeting on 1 May 2008 (am)

For disclosure, I had no knowledge of a TPB meeting on the morning of 1 May 2008 nor an approval to pay the sums detailed in that minute to SDS. I have no knowledge if Council approval was sought or received. My awareness of this was on reviewing the Inquiry database of documentation.

In terms of balance, I was not aware of the extent of positioning emails sent by Colin MacKenzie to his colleagues just prior to important project steps. In my opinion, these actions may not be consistent with working in good faith. Mr MacKenzie did have a particularly extreme reaction to my promotions to Depute Council Solicitor and Council Solicitor. I remained entirely professional throughout and sought to provide leadership and sought effective communication and saw challenge as positive. Mr MacKenzie supported my role in the Division in part. He rejected my request for more regular internal legal meetings, considering and advising that this was a waste of his time and importing dual reporting mechanisms as himself and City Development and Finance colleagues were producing regular briefings for the Chief Executive's IPG meetings, as they were.

Further and Final Thoughts

To assist and in terms of further and final thoughts, in my opinion:

The element of control required to be provided to Tie/TEL and that retained by local and central Government should have been a factor in the decision and implementation protocols to require the delivery to be outwith the Council, rather than a decision based on delivery confidence. In particular the requirement for private sector contractors to have financial guarantees and not contract solely with a delivery company could and should have been anticipated and again considered as a factor on the suitability of determining the project was to be delivered outwith the Council. The unexpected withdrawal of support by the Scottish Government created some instability and loss of assurance and left a remaining structure determined by Central Government for a project with a dual Central and Local Government role.

The Edinburgh Trams project was publicly funded whether and to what extent by Central and Local Government and there could and should have been more joined up working in the interests of the project. Rather there were constraints by structures and timetable dates which did not provide overall benefit as they should have done.

The strategy and implementation of mediation does not appear to have been founded on or consistent with the external legal QC advice of both Tie and the Council to require the contractor to work to and enforce the contract by robust contract management to gain grounds for termination or leverage in a negotiated situation.

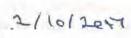
It is not clear that the mediation recognised the impact of not agreeing a negotiated settlement of being the offered solution of the contractor at the cost offered at an earlier meeting. It is not clear nor in the public domain of how and why the figure emerged so quickly at the mediation arrangements and at that scale.

It is not clear why matters proceeded when cost consultants, Faithful & Gould, detail costs as being "grossly inflated". It is not clear what evidence there was that the contractor would submit costs which were not so inflated having regard to the profile of sums claimed to date. This was a particular matter when the advice of the two QCs was to seek to enforce the contract even as a means of leverage. It seems inconsistent that those that sought further external legal review then appeared to ignore the advice of two QCs at such a critical stage in the project.

The summary by Ashursts, solicitors, within the Inquiry evidence shows a risk profile no better than the previous contract with the contractor not taking the risk of utilities and delay nor design delay. A key difference appears to be the ability to work at demonstrable cost, to the benefit of the contractor, within 21 days or costs/delay in excess of £750,000.

Additional References

Reference	ETI Filename	Details
GL/2003/1	WED00000609	Letter titled "Edinburgh Tram Bills" to Colin Mackenzie from Rees & Freres (Solicitors and Parliamentary Agents) on 15 December 2003
GL/2004/1	WED00000610	Council Item no 9.1 (Report no CEC/158/03-04/RC) dated 19 February 2004 presented at the Committee Meeting (14) of The City of Edinburgh Council on 19 February 2004
GL/2007/42a	WED0000595	Email from Mandy Wilson on behalf of Gill Lindsay titled "Budget Pack/Prioritisation" on 29 November 2007 (17:13)
GL/2007/42b	WED00000595	Email from Mandy Wilson on behalf of Gill Lindsay titled "Budget Pack – Text re Review of Legal Services" on 29 November 2007 (17:24)
GL/2007/42c	WED00000596	Appendix Table titled "Corporate Services Budget Allocation" linked to above email (GL/2007/42b)
GL/2008/93	WED00000598	Report entitled "Review of Council Owned, Arms Length Companies and Joint Ventures" presented at the Committee Meeting 1 of The City of Edinburgh Council on 1 May 2008 (Item no 8.7; Report no cec/004/08-09/CD)
GL/2008/94	WED0000599	Report entitled "Review of Legal Services" presented at the Committee Meeting of The City of Edinburgh Council on 29 May 2008 (Item no 9.4(b); Report no cec/033/08-09/CS)
GL/2009/29	WED00000600	Online article titled "Edinburgh care contracts suspended pending inquiry" published on CommunityCare.co.uk on 3 December 2009
GL/2009/30	WED00000601	Report entitled "Review of Legal Services and Council Secretary" presented at the Committee Meeting of The City of Edinburgh Council on 12 March 2009 (Item no 8.4; Report no cec/161/08-09/CS)
GL/2010/1	WED0000602	Online article titled "Edinburgh may be sued by disabled people over contracts saga" published on CommunityCare.co.uk on 2 February 2010



<END OF DOCUMENT>