



# tie Limited

## Minute of the CEC/tie Legal Affairs Group Meeting

**Date:** Monday 14 April 2008

**Time:** 17.00 – 18.30

**Venue:** CityPoint II

In attendance	Willie Gallagher	tie	WG
	Graeme Bissett	tie	GB
	Alasdair Sim	tie	AS
	Susan Clark	tie	SC
	Steve Sladdin	CEC	SS
	Rebecca Andrews	CEC	RA
	Andy Conway	CEC	AC
	Gill Lindsay	CEC	GL
	Nick Smith	CEC	NS
	Colin McKenzie	CEC	CM

Apologies            Andrew Fitchie - DLA  
                               Duncan Fraser - tie  
                               Alan Coyle - CEC  
                               Stewart McGarrity - tie

Circulation            Above

		ACTION By	Target Date
<b>1</b>	<b>Progress for Contract Close Out</b>		
	<p>WG held meeting with the senior directors of BB and S and discussed the following areas:</p> <ul style="list-style-type: none"> <li>• Milestones</li> <li>• SDS mark up</li> <li>• CAF joining the Consortium</li> </ul> <p>WG also held a meeting with CAF who confirmed they have no issues and are pressing ahead to ensure the contract is signed.</p> <p>In order to sign on 24<sup>th</sup> April, BBS require final schedules and contract by Thursday 17<sup>th</sup> April. BBS confirmed to WG that it will take them a week to go through these. As most of the schedules are in final form tie believe that this is achievable. GL also confirmed that this is suitable for the Council Report.</p> <p>GL asked if the delegated authority was in place for BBS and WG confirmed this (Richard Walker and Christian Roth can sign). GL noted that Tom Aitchison will be on annual leave and Jim Inch will have authority to sign on behalf of the Council, she has contact Andrew Fitchie to ensure that this will be acceptable. [Subsequently confirmed that Chief Executive signature preferable to eliminate a</p>		



<p>further round of BBS diligence on the Council's internal competencies to sign.]</p> <p><b>Close Report</b> GB confirmed that he has received comments back and these will be fed into the final report.</p> <p>AS will send CEC the Third Party Agreements Report by close of business on Tuesday.</p> <p>Tie received a letter from David Leslie relating to the Design Management Process. A revised process had been introduced which accommodates the concerns expressed and WG has written back to David Leslie and awaits confirmation that David is satisfied with the answer.</p> <p>AC raised the issue of Land and LODs relating to Tower Place, this is private and access is required from Constitution Street. AS will investigate this and feedback to CEC. As will also respond on an issue arising at the St James Centre. Neither of these points are expected to cause any major issues.</p> <p>SC will produce information for Infracore exclusions to be distributed on Tuesday.</p> <p>Stewart McGarrity will send CEC a copy of Schedule Four (Pricing) as this is now mostly agreed. Stewart had also cleared off the question raised by Alan Coyle about CAF bonding arrangements.</p> <p><b>Third Party Agreements</b> AS confirmed that the Framework Agreement has been signed by Network Rail and was now with MacRoberts in Glasgow.</p> <p>There are still areas outstanding before the SRU agreement can be put in place. The Section 50/Section75 matter is still to be resolved and CEC and SRU require a discussion to move forward the issue of payment for traffic management for future international games. GL will contact the relevant people within CEC to push forward as this will inevitably be on the critical path. A further point was raised on acceptability within CEC of the Flood planning dimensions to the deal, which SC and SS agreed to take off-line.</p> <p>Forth Port is now on route for completion. After discussions between tie and Forth Ports there is now no cost exposure to the project. GB noted that currently the legal documents are being redrafted to reflect the recent discussions and once this is complete Forth Ports will receive a copy for their comments.</p> <p>GL requested an update on the status of the Scottish Power agreement. SC will speak to Jim McEwan to update.</p>	<p>AS</p> <p>AS</p> <p>SC</p> <p>SM</p> <p>GL</p> <p>SC</p>	<p>15.04.08</p> <p>14.04.08</p> <p>14.04.08</p>
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<p><b>2</b></p>	<p><b>Approval Documents</b></p> <p><b>a) Amendment to Clause 3.1 in the tie/CEC Operating Agreement</b> CEC has questions relating to point 6 – NS/AF to take offline to discuss.</p> <p><b>b) Amendment to Clause 2.20 in TEL/CEC Operating Agreement</b> CEC required clarity on the revenue service date. GL will investigate and further discussion will take place on Wednesday.</p> <p><b>c) Intimation letters on Infraco</b> CEC are happy in principle with these but require seeing the updated DLA report in relation to the Novation Agreements in order for these to be signed.</p> <p><b>d) Intimation letter on MUDFA</b> Nothing has been found on this but it is not time critical for Infraco.</p> <p><b>e) D&amp;W review of CEC delegation – MUDFA</b> Awaiting word from D&amp;W.</p> <p><b>f) Recommendation to proceed and FBC letters CEC/ TEL/ tie</b> CEC are content with the wording and will be working on a response for approval on Wednesday.</p> <p><b>g) tie Memo/Arts</b> Copy required for certification. Tie pursuing.</p> <p><b>h) LGCA</b> Discussion required with BBS to end this. AF has written to them.</p> <p><b>i) Council Report</b> This has been received from AC, tie will feedback any comments.</p>		
<p><b>3</b></p>	<p><b>AOB</b></p>		
	<p>There are currently issues with prior approvals in particular Russell Road, a delay in approval with result in a delay in programme and a cost implication. WG will arrange a meeting with Dave Anderson to discuss.</p>		
	<p><b>Next Meeting</b> Monday 21st April 08 at 17.00</p>		