



# tie Limited

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

**Date:** Monday 21 January 2008

**Time:** 16.00 – 18.00

**Venue:** CityPoint II

In attendance	Graeme Bissett	tie	WG	
	Susan Clark	tie	GB	
	Matthew Crosse	tie	SC	
	Alasdair Sim (partial)	tie	AS	
	Stewart McGarrity	tie	SM	
	Damian Sharp (partial)	tie	DS	
	Duncan Fraser	CEC	DF	
	Gill Lindsay	CEC	GL	
	Rebecca Andrews	CEC	RA	
	Andy Conway	CEC	AC	
	Nick Smith	CEC	NS	
	Steven Sladdin	CEC	SS	
	Alan Coyle	CEC	AC	
	Andrew Holmes (partial)	CEC	AH	
	Apologies	Andrew Holmes	CEC	AH
		Alasdair Sim	tie	AS
Willie Gallagher		tie	WG	
Andrew Fitchie		DLA	AF	
Robert Millar		CEC	RM	
Circulation	Colin MacKenzie	CEC	CM	
	Above			

		ACTION By	Target Date
1.	<p><b><u>Infraco/ Tramco Contract Update (Graeme Bissett/ Matthew Crosse)</u></b>            MC reported that BBS had used the weekend previous to take stock of the outstanding items that are required to be completed before the deal can be closed. BBS will be sending through an updated plan by close of business 21.01.08. MC commented that BBS are still aware of the 28<sup>th</sup> as the key date and also the council meeting on the 7th Feb. MC noted that more would be known when tie had assessed the content of the BBS plan. The contract workshop due to be held on the 22.01.08 has been put on hold till later in the week when there can be a more concise discussion.</p> <p>DF is concerned that the consents papers needs to be redefined to reflect that BBS are aware that Traffic Management and Design are to be done in alignment.</p>		



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	<p>GL requested a letter qualifying the contract status updated by BBS. GL will email Andrew Fitchie or Sharon Fitzgerald to obtain this. MC stated he is concerned that Andrew Fitchie may become distracted by this and suggested that the updated matrix may be a better option. GL just requires something to give Tom Aitchison comfort that there has been movement. GL also noted that CM has some issues with the contract and guarantee links. GL will take this up with MC.</p> <p>GL requested an update meeting prior to the IPG meeting (to be co-ordinated through DF)</p>	<p>GL</p> <p>GL</p> <p>DF</p>	
2.	<p><b><u>Network Rail</u></b> WG has been dealing with NR re the indemnity position and there have been emails between Bill Reeve and Ron Macaulay. Transport Scotland is supporting tie which give great strength and the two are now engaged in discussion and aware of the time element.</p> <p>Dept and Station Change are now both submitted and the clock is ticking on both.</p>		
3.	<p><b><u>BAA</u></b> The agreement is with Brodies for drafting; after that CEC are able to sign – GL expects this to be completed before Thursday.</p>	AS	24/01
4.	<p><b><u>tie/ TEL Operating Agreement</u></b> DF will send his comments to NS regarding the tie Operating Agreement. GB noted that the draft version will be presented to the three Boards on 23.01.08.</p> <p>The TEL Agreement is with CEC – the target for this is Wednesday. tie/ CEC License to be signed this week.</p>	<p>NS</p> <p>AS</p>	<p>23/01</p> <p>25/01</p>
5.	<p><b><u>Forth Ports</u></b> AH has been in talks with Forth Ports regarding late night access to the proposed pedestrianised area. DF is concerned that this could be a design issue. AS will speak to Malcolm Butchert to agree principles so this does not end up on the critical path and get a meeting to agree principles before the design meeting on 30/01</p>	AS	26/01
6.	<p><b><u>SRU</u></b> AS had returned from a meeting at the SRU where he believes there are many issues still to be concluded before the deal can be finalised. These include: spec for pitches, LOD/ LLAU issues/ Roseburn Viaduct. He noted that the Tram agreement seemed to have become interwoven with the flood prevention agreement. There is also ongoing discussions between the SRU and CEC regarding lighting. DF is to arrange a meeting between the SRU, the flood team and AH to aid completion of these details. AS to send update note to AH. The Section 50 agreement (parking at the back pitches) is currently sitting with Alan Squair – CEC</p>	DF/ AH/AS	





	requested that a proposal be drafted.		
7.	<p><b>Funding Letter</b> RA is to keep GB updated on any developments on this but so far nothing has been received although TS have signed and a copy is in transit to CEC</p>	RA	
8.	<p><b>Consents and Approvals (Damian Sharp)</b> The critical path lies through the approvals and prior approvals. SDS are required to produce these to CEC “in a fit state”. CEC needs to be clear regarding the quality and the standard of work that will be accepted and CEC should be keeping a record of when comments are fed back to SDS. DS noted that each approval should take eight weeks with problems communication back in week one.</p> <p>DS put forward the idea that currently on the programme all approvals are weighted equal and realistically this is not the case. He suggested that this could be looked at the approval re-prioritised based on the critical path. He also asked whether other CEC resources could be deployed at times when workload is heavy. DS has a meeting with SDS on 22.01.08 and will push this idea further and will update DF.</p> <p>NS asked who would be liable if SDS does not work to the programme – MC noted that the SDS Novation Agreement will take care of this. At NS’s request MC will confirm that the Agreement contains details of who will take the risk on knock on effects of delays.</p>	DS/ DF  MC	
9.	<p><b>Actions from previous meeting</b> Advanced material purchase – SM will produce a paper for CEC to provide comfort on the liabilities of advanced purchasing.</p>	SM	
10.	<p><b>AOB</b></p> <p><b>Board Meetings</b> GB noted that that the tie Board, Tram Project Board and TEL Board are all combined and will be held on 23.01.08. The papers will be sent on 21.01.08 containing the draft of the Close Report and the Period 10 Tram Project Report.</p> <p><b>Employer’s Requirements</b> MC issued version 3.2 to CEC. When the updated proposal is received from BBS tie will check for alignment. CEC request a letter confirming ER sign up from tie and BBS.</p> <p><b>Letters of Comfort</b> Alasdair to provide a full list of all required letters of comfort and to set up a session to agree al wording with CEC.</p>	AS	



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	<b>Approvals</b> CEC requested an update on their approvals.	SC	23/01
	<b>Street Traders</b> tie to ensure dialogue is ongoing with the street traders to be relocated.	SC	25/01
11.	<b><u>Next Meeting</u></b> Monday 28 <sup>th</sup> January 2008 at 4pm in CityPoint		