

Questions for Councillors August 2016



This questionnaire has been designed to gather evidence about Councillors' involvement and knowledge of the Edinburgh Trams Project. The questionnaire contains 12 questions and, for guidance, a list of issues that may assist you in answering these questions. Please ignore any questions and issues which you feel do not apply to you, for example, questions that relate to a period when you were not serving as a Councillor of the City of Edinburgh Council.

If you have received the questionnaire in paper-format but would like to provide an electronic response please contact evidence@edinburghtraminquiry.org and we will send you the electronic version.

Your details

In order for the evidence to be analysed and taken forward by the Inquiry we require some information about you.

As you are responding as a Councillor (or ex-Councillor) your name and ward will be published, but your postal address, postcode, telephone number and email address will not be published.

Ward	INVERLEITH
Period that you were a Councillor	2007 - 2012
Surname	MCKAY
Forename	TIM
Postal Address	
Postcode	
Telephone	
Email	

What will happen to your response

Your answers will be considered by the Inquiry and will form part of the record of the Inquiry

All of the written evidence, unless deemed offensive or inappropriate, which is submitted through this process will also be published on the Inquiry's website at

some point, either during the Inquiry proceedings or when the Inquiry Report is issued.

The Inquiry team may wish to explore the evidence you have provided in more detail. They may wish to contact you following completion of this questionnaire to take a statement from you, and you may be invited to give evidence at an oral hearing. However, not everyone who submits written evidence at this stage will be invited to provide more information, and participation at any oral hearings would be by invitation only.

Questions

Please refer to the guidance to assist you in answering these questions.

1. Please provide an overview of your duties and responsibilities as a Councillor? Please also provide an overview of any duties and responsibilities you had in relation to the Edinburgh Trams Project.

VICE CONVENER OF ECONOMIC DEVELOPMENT CONVENER OF PENSIONS + TRUSTS VICE CONVENER OF REGULATORY COMMITTEE till 2011. MEMBER OF FINANCE COMMITTEE & BUDGET GROUP (till 2010) LICENSING PLANNING (2011/12)	COMMITTEES.	NOTHING IN RELATION TO TRAM DIRECTLY.
[Please insert extra pages if required]		

2. Do you have any comments on the trams project during the initial proposals stage (i.e. between 2000 and 2006)?

No
[Please continue on additional pages if required]

3. Do you have any comments on the trams project in relation to events between May 2007 and the signing of the infrastructure contract in May 2008?

No

[Please continue on additional pages if required]

4. Do you have any comments on events after May 2008, including, in particular, in relation to the dispute that arose with the infrastructure consortium?

I DONT THINK THE CONTRACT WITH THE CONSORTIUM HELPED
IN RESOLVING THE DISPUTE.

[Please continue on additional pages if required]

5. Do you have any comments in relation to the settlement agreement reached at the Mar Hall mediation in March 2011, and finalised later that year?

No.

[Please continue on additional pages if required]

6. Do you have any comments on the project management or governance of the trams project?

I THINK HAVING A SEPARATE PROJECT BOARD. | THE STRUCTURE
DID NOT HELP TOWARDS TRANSPARENCY IN MANAGING THE PROJECT.

[Please continue on additional pages if required]

7. Do you have any comments on the reporting of information relating to the trams project to Councillors?

No

[Please continue on additional pages if required]

8. Which body or organisation do you consider was ultimately responsible for ensuring that the trams project was delivered on time and within budget?

THE SCOTTISH GOVERNMENT IN PARTNERSHIP WITH CEC.

[Please continue on additional pages if required]

9. What do you consider were the main reasons for the failure to deliver the project in the time, within the budget and to the extent projected?

LACK OF SKILLS | EXPERTISE AT THE
ALONGSIDE A POOR CONTRACT .

[Please continue on additional pages if required]

10. Do you have any comments on how these failures might have been avoided?

YES - BUT NOT PREPARED TO GIVE THEM WITHOUT
HAVING LEGAL ADVICE.

[Please continue on additional pages if required]

11. What do you consider are the main consequences of the failure to deliver the trams project in the time, within the budget and to the extent projected?

LOSS OF REPUTATION TO THE CITY OF EDINBURGH COUNCIL
LOSS OF AMENITY TO RESIDENTS + VISITORS TO EDINBURGH
LOSS OF FINANCIAL RESOURCES + EFFORT THAT MIGHT HAVE
BEEN USEFULLY EMPLOYED ELSEWHERE.

[Please continue on additional pages if required]

12. Are there any other comments you would like to make that fall within the Inquiry's Terms of Reference and which have not already been covered in your answers to the above questions? (The Terms of Reference can be found on the Inquiry's website)

No

[Please continue on additional pages if required]

Guidance:
Possible issues to consider in your response

Your duties and responsibilities

1. It would be helpful if you could set out the dates you served as a Councillor, the Ward you represented, the political party (if any) you were a member of and any positions in CEC you held (e.g. membership of committees, Group Leader etc)?
2. Were you a member of the Tram Project Board, TIE Ltd or TEL Ltd? If so, please provide dates.
3. Do you consider that you, or other Councillors, had any relevant qualifications or experience that assisted when taking decisions relating to the Edinburgh Trams Project? Did you receive any training or guidance in that regard? Do you consider that any such training and guidance would have been helpful? If you were given some training was it sufficient to enable you to fully consider the issues relating to the trams project that were brought before the Council? If not what was missing?
4. Did the fact that not all members/political parties supported the trams project cause any problems or difficulties (and, if so, in what way)?

Initial proposals (2000 to 2006)

5. What were your views on the creation of TIE to deliver the various projects forming part of the Council's New Transport Initiative, including the Edinburgh Trams Project? What was your understanding of how CEC would, and did, exercise control over TIE? Did you have any concerns in relation to these matters?
6. Various draft Business Cases and STAG (Scottish Transport Appraisal Guidance) appraisals were produced between 2002 and 2006. Did you have any views on these documents including, for example, the various estimates for the project and the allowance for risk?
7. The Council decided in January 2006 to build the tram network in phases, with a first phase to be built from Edinburgh Airport to Leith Waterfront. What was your understanding of the reason for that decision? What were your views?
8. What was your understanding of the procurement strategy for the trams project including, in particular, the aims of the procurement strategy, the extent to which design and utility diversions would be complete before the infrastructure works commenced and the extent to which the infrastructure contract would be a fixed price contract?