

From: [redacted]
To: [redacted]; [redacted]@teneo.com; [redacted]
[redacted] Rapid Response Unit; [redacted] Director for Covid Business Resilience and Support; [redacted] Director of Economic Development; [redacted]@teneo.com; [redacted]
Subject: RE: HT Catch up [redacted]
Date: 03 December 2021 08:08:13
Attachments: [image001.jpg](#)
[image002.png](#)
[image003.png](#)
[image004.png](#)
[image005.png](#)
[image205174.png](#)
[image188876.png](#)
[image953316.png](#)
[image463908.png](#)
[image260596.png](#)
[image324891.png](#)

Thanks [redacted] and will pick up at lunchtime if there's an update

[redacted]

Sent with BlackBerry Work (www.blackberry.com)

From: [redacted]
Sent: 2 Dec 2021 22:03
To: [redacted]@teneo.com; [redacted]
[redacted]; [redacted]@gov.scot>; [redacted]
[redacted]
[redacted] gov.scot>; Rapid Response Unit <RRU@gov.scot>; [redacted]
[redacted]s@gov.scot>; [redacted]@gov.scot>; [redacted]
[redacted]@gov.scot>; Director for Covid Business Resilience and Support
<DirectorCOBRAS@gov.scot>; Director of Economic Development
<DirectorDED@gov.scot>; [redacted]@gov.scot>;
[redacted]@teneo.com; [redacted]@gov.scot>

Subject: RE: HT Catch up [redacted]

[redacted]

I have received initial advice from the lawyers in Luxembourg, however I have asked a clarification question on the liability point to the Scottish Ministers vis-à-vis disclosure. When I have received this I will send on, given the lateness of the evening and that Luxembourg are an hour ahead of the UK I would suspect that I am unlikely to hear back until morning. I shall be in touch as soon as.

Regards

[redacted]

[redacted]
[redacted]
[redacted]
[redacted]

DD:+44 141 [redacted]
M: [redacted]
E: [redacted]
W: [redacted]

[redacted]
[redacted]





Consider the environment. Do you really need to print this email?

From: [REDACTED]@gov.scot>

Sent: 02 December 2021 19:14

To: [REDACTED]@teneo.com; [REDACTED]
[REDACTED]@gov.scot; [REDACTED]
[REDACTED]
[REDACTED]@gov.scot; RRU@gov.scot;
[REDACTED]@gov.scot; [REDACTED]@gov.scot; [REDACTED]@gov.scot; DirectorCOBRAS@gov.scot;
DirectorDED@gov.scot; [REDACTED]@gov.scot; [REDACTED]@teneo.com; [REDACTED]@gov.scot

Subject: [EXTERNAL] RE: HT Catch up

This message originated from outside your organisation

[REDACTED]
Grateful for confirmation/feedback on [REDACTED] point
Thanks

[REDACTED] | [REDACTED] | **The Scottish Government**
St Andrew's House | Regent Road | Edinburgh | EH1 3DG | T: 0131 2 [REDACTED] | M: [REDACTED]
[REDACTED]

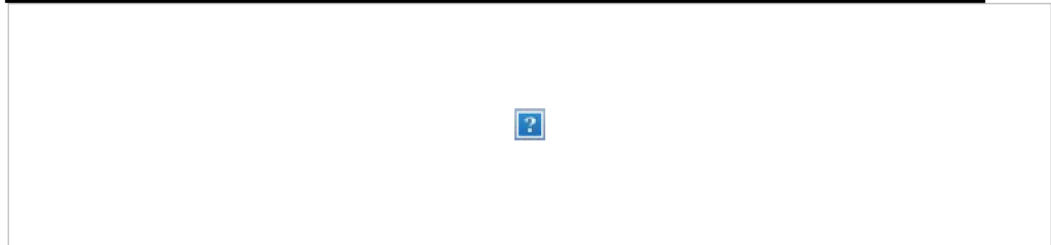
From: [REDACTED]@teneo.com>

Sent: 01 December 2021 18:53

To: [REDACTED]@gov.scot>; [REDACTED]
[REDACTED]@gov.scot>; [REDACTED]
[REDACTED]
[REDACTED]@gov.scot>; Rapid Response Unit <RRU@gov.scot>; [REDACTED]
[REDACTED]@gov.scot>; [REDACTED]@gov.scot>; [REDACTED]
[REDACTED]@gov.scot>; Director for Covid Business Resilience and Support
<DirectorCOBRAS@gov.scot>; Director of Economic Development <DirectorDED@gov.scot>; [REDACTED]
[REDACTED]@gov.scot>; [REDACTED]@teneo.com>; [REDACTED]
[REDACTED]@gov.scot>

Subject: RE: HT Catch up

[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]



[REDACTED]
[REDACTED]
[REDACTED]

[Redacted]

Kind regards

[Redacted]

Teneo

100 West George Street
Glasgow, G2 1PJ

O: +44 141 [Redacted]

M: [Redacted]

E: [Redacted]@teneo.com



teneo.com

-----Original Appointment-----

From: [Redacted]@gov.scot>

Sent: 01 December 2021 15:25

To: [Redacted]@gov.scot; [Redacted]@gov.scot;

[Redacted]

[Redacted]@gov.scot; RRU@gov.scot; [Redacted]@gov.scot;

[Redacted]@gov.scot; [Redacted]@gov.scot; DirectorCOBRAS@gov.scot; DirectorDED@gov.scot;

[Redacted]@gov.scot; [Redacted]@gov.scot

Subject: HT Catch up

When: 01 December 2021 17:00-17:30 (UTC+00:00) Dublin, Edinburgh, Lisbon, London.

Where: Microsoft Teams Meeting

Microsoft Teams meeting

Join on your computer or mobile app

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Or call in (audio only)

+44 131 3 [Redacted] United Kingdom, Edinburgh

Phone Conference ID: [Redacted]

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Teneo

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[Redacted]

[Redacted]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

From: [Pearce H \(Hilary\)](#)
To: [REDACTED] [Macniven R \(Ruaraidh\)](#)
Cc: [Director for Covid Business Resilience and Support](#); [REDACTED] [Rapid Response Unit](#)
Subject: RE: Additional info on [REDACTED]
Date: 18 November 2021 10:32:02

Thanks [REDACTED]

I came across this too. Although important to note that the [REDACTED] advice on 1 September was in relation to the 4 follow up questions put to us from BEIS which we answered on 2 September 2020. Those were BEIS own questions and not those of the Commission which we had answered on 19 August 2020.

What we remain unclear about is what was included by BEIS in their response to the Commission (if anything) and when that issued.

[REDACTED]
Hilary

From: [REDACTED] <[REDACTED]@gov.scot>
Sent: 18 November 2021 10:02
To: Macniven R (Ruaraidh) <Ruaraidh.Macniven@gov.scot>
Cc: Director for Covid Business Resilience and Support <DirectorCOBRAS@gov.scot> [REDACTED] <[REDACTED]@gov.scot>; Pearce H (Hilary) <Hilary.Pearce@gov.scot>; Rapid Response Unit <RRU@gov.scot>
Subject: Additional info on [REDACTED]

Ruaraidh

There was a discussion on Tuesday about [REDACTED] involvement in the transaction in 2016 and you will have seen the letter from them on 23 March 2016 with their scope.

I just wanted to be clear/add that [REDACTED] did advise on the second EC response in 2020 and thought its important you understand that. [REDACTED]
[REDACTED]
[REDACTED]

Thanks

[REDACTED] | [REDACTED] | **The Scottish Government**
St Andrew's House | Regent Road | Edinburgh | EH1 3DG | T: 0131 2 [REDACTED] | M: [REDACTED]
[REDACTED]

From: [REDACTED]
To: [Rapid Response Unit](#)
Cc: [REDACTED]
Subject: FW: OFFICIAL SENSITIVE - Next Steps - Historic transaction
Date: 08 October 2021 17:56:37
Attachments: [image001.jpg](#)

[REDACTED] | [REDACTED] | **The Scottish Government**
St Andrew's House | Regent Road | Edinburgh | EH1 3DG | T: 0131 2 [REDACTED] | M:
[REDACTED]

From: [REDACTED]@gov.scot>
Sent: 08 October 2021 17:38
To: [REDACTED]@gov.scot>
Cc: [REDACTED]@gov.scot>
Subject: RE: OFFICIAL SENSITIVE - Next Steps - Historic transaction

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Thank you for that feedback which is helpful additional background.

Kind regards

[REDACTED]

.....

[REDACTED]



[REDACTED]

From: [REDACTED]@gov.scot>
Sent: 08 October 2021 17:35
To: [REDACTED]@gov.scot>
Cc: [REDACTED]@gov.scot>
Subject: RE: OFFICIAL SENSITIVE - Next Steps - Historic transaction

Hi [REDACTED]

Just following on from the accuracy point from our call today. I have included some feedback in red below. We have found it challenging to say the least in picking through what transpired back in 2016 so happy to talk through the below if needed.

Many thanks

[REDACTED]

From: [REDACTED]@gov.scot>
Sent: 06 October 2021 15:16

To: [REDACTED]@gov.scot>; [REDACTED]
[REDACTED]@gov.scot>; Pearce H (Hilary) <Hilary.Pearce@gov.scot>; [REDACTED]
[REDACTED]@gov.scot>; [REDACTED]@gov.scot>; [REDACTED]
[REDACTED]@gov.scot>; [REDACTED]@gov.scot>; Beattie C (Caroline)
<Caroline.Beattie@gov.scot>; [REDACTED]@gov.scot>; [REDACTED]
[REDACTED]@gov.scot>

Cc: Macniven R (Ruairidh) <Ruairidh.Macniven@gov.scot>; Aitken R (Reuben)
<Reuben.Aitken@gov.scot>; Chief Financial Officer <cfo@gov.scot>; Director of Economic
Development <DirectorDED@gov.scot>; Rapid Response Unit <RRU@gov.scot>; [REDACTED]
[REDACTED]@gov.scot>; [REDACTED]@gov.scot>; [REDACTED]
[REDACTED]@gov.scot>; Hynd JS (James) <James.Hynd@gov.scot>; [REDACTED]
[REDACTED]@gov.scot>; [REDACTED]@gov.scot>

Subject: RE: OFFICIAL SENSITIVE - Next Steps - Historic transaction

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Dear [REDACTED]

On 16 September [REDACTED]
[REDACTED]
[REDACTED]

[REDACTED]

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[REDACTED]

[REDACTED]

[Redacted]

[Redacted]

[Redacted]

[Redacted]

Kind regards

[Redacted]

.....

[Redacted]

[Redacted]

From: [Redacted] <[Redacted]@gov.scot>

Sent: 15 September 2021 21:58

To: [Redacted] <[Redacted]@gov.scot>; Pearce H (Hilary) <Hilary.Pearce@gov.scot>; [Redacted] <[Redacted]@gov.scot>; [Redacted] <[Redacted]@gov.scot>; [Redacted] <[Redacted]@gov.scot>; [Redacted] <[Redacted]@gov.scot>; [Redacted] <[Redacted]@gov.scot>; [Redacted] <[Redacted]@gov.scot>; [Redacted] <[Redacted]@gov.scot>

Cc: Macniven R (Ruairidh) <Ruairidh.Macniven@gov.scot>; Aitken R (Reuben) <Reuben.Aitken@gov.scot>; Chief Financial Officer <cfo@gov.scot>; Director of Economic Development <DirectorDED@gov.scot>; Rapid Response Unit <RRU@gov.scot>; [Redacted] <[Redacted]@gov.scot>; [Redacted] <[Redacted]@gov.scot>; [Redacted] <[Redacted]@gov.scot>; Hynd JS (James) <James.Hynd@gov.scot>; [Redacted] <[Redacted]@gov.scot>; [Redacted] <[Redacted]@gov.scot>

Subject: RE: OFFICIAL SENSITIVE - Next Steps - Historic transaction

Dear all

Thanks your input today in the discussion and for the follow up with a number of you.

We are meeting the other teams over the next few days. As well as that, we will send round a list of questions that we would welcome your input to in order to start the formation of advice on handling and other questions that are coming out of the various discussions.

Summary of Discussion:

- [REDACTED]
- Initial discussion on handling requirements for Audit Scotland, Parliament and TATA
- Timelines and next steps to produce advice for PAO and Ministers that considers the different aspects

Action Points:

- To organise deep dive discussions with each team [REDACTED]
- [REDACTED] (Hilary Pearce)
- [REDACTED]
- Contact Perm Secs Office [REDACTED] and [REDACTED]

Thank you

[REDACTED] | [REDACTED] | **The Scottish Government**
St Andrew's House | Regent Road | Edinburgh | EH1 3DG | T: 0131 2 [REDACTED] | M:
[REDACTED]

From: [REDACTED]
Sent: 14 September 2021 21:16

[REDACTED] <[REDACTED]@gov.scot>; Pearce H (Hilary) <Hilary.Pearce@gov.scot>; [REDACTED] <[REDACTED]@gov.scot>; [REDACTED] <[REDACTED]@gov.scot>; [REDACTED] <[REDACTED]@gov.scot>; [REDACTED] <[REDACTED]@gov.scot>; [REDACTED] <[REDACTED]@gov.scot>; Beattie C (Caroline) <Caroline.Beattie@gov.scot>; [REDACTED] <[REDACTED]@gov.scot>; [REDACTED] <[REDACTED]@gov.scot>

Cc: Macniven R (Ruaraidh) <Ruaraidh.Macniven@gov.scot>; Aitken R (Reuben) <Reuben.Aitken@gov.scot>; Chief Financial Officer <cfo@gov.scot>; Director of Economic Development <DirectorDED@gov.scot>; Rapid Response Unit <RRU@gov.scot>; [REDACTED] <[REDACTED]@gov.scot>; [REDACTED] <[REDACTED]@gov.scot>; [REDACTED] <[REDACTED]@gov.scot>; Hynd JS (James) <James.Hynd@gov.scot>; [REDACTED] <[REDACTED]@gov.scot>

Subject: RE: OFFICIAL SENSITIVE - Next Steps - Historic transaction

Dear all

[REDACTED]

[REDACTED]

Thanks very much

[REDACTED] | [REDACTED] | **The Scottish Government**
St Andrew's House | Regent Road | Edinburgh | EH1 3DG | T: 0131 2 [REDACTED] | M:
[REDACTED]

From: [REDACTED]

Sent: 13 September 2021 20:59

To: [REDACTED] <[REDACTED]@gov.scot>; Pearce H (Hilary) <Hilary.Pearce@gov.scot>; [REDACTED] <[REDACTED]@gov.scot>; [REDACTED] <[REDACTED]@gov.scot>; [REDACTED] <[REDACTED]@gov.scot>; [REDACTED] <[REDACTED]@gov.scot>; Beattie C (Caroline) <Caroline.Beattie@gov.scot>; [REDACTED] <[REDACTED]@gov.scot>; [REDACTED] <[REDACTED]@gov.scot>

Cc: Macniven R (Ruaraidh) <Ruaraidh.Macniven@gov.scot>; Aitken R (Reuben) <Reuben.Aitken@gov.scot>; Chief Financial Officer <cfo@gov.scot>; Director of Economic Development <DirectorDED@gov.scot>; Rapid Response Unit <RRU@gov.scot>; [REDACTED] <[REDACTED]@gov.scot>; [REDACTED] <[REDACTED]@gov.scot>; [REDACTED] <[REDACTED]@gov.scot>; Hynd JS (James) <James.Hynd@gov.scot>; [REDACTED] <[REDACTED]n@gov.scot>

Subject: RE: OFFICIAL SENSITIVE - Next Steps - Historic transaction

Dear all

Summary of call today:

Monday 13 September

Summary of Discussion:

- [REDACTED]
- Parliamentary and TATA requirements in terms of approvals and duty of care
- [REDACTED]

Action Points:

- [REDACTED]
- Circulate short summary of position for PAO and DGs [REDACTED]

Thanks

[REDACTED] | [REDACTED] | **The Scottish Government**
St Andrew's House | Regent Road | Edinburgh | EH1 3DG | T: 0131 2 [REDACTED] | M:
[REDACTED]

From: [REDACTED]

Sent: 10 September 2021 19:06

To: [REDACTED] <[REDACTED]@gov.scot>; Pearce H (Hilary) <Hilary.Pearce@gov.scot>; [REDACTED] <[REDACTED]@gov.scot>; [REDACTED] <[REDACTED]@gov.scot>; [REDACTED] <[REDACTED]@gov.scot>; [REDACTED] <[REDACTED]@gov.scot>; Beattie C (Caroline) <Caroline.Beattie@gov.scot>; [REDACTED] <[REDACTED]@gov.scot>; [REDACTED]

[redacted]@gov.scot>

Cc: Macniven R (Ruaraidh) <Ruaraidh.Macniven@gov.scot>; Aitken R (Reuben) <Reuben.Aitken@gov.scot>; Chief Financial Officer <cfo@gov.scot>; Director of Economic Development <DirectorDED@gov.scot>; Rapid Response Unit <RRU@gov.scot>; [redacted]@gov.scot>; [redacted]@gov.scot>; [redacted]@gov.scot>

Subject: RE: OFFICIAL SENSITIVE - Next Steps - Historic transaction

Dear all

Quick summary of the topics of the first stand up and counsel discussion and any actions (full minute will be provided later). Thanks for your participation in all these – especially on a late Friday afternoon!

Stand up (10 September)

- Summary of finance trawl position and next steps
- PAO responsibilities for the accounts

[redacted]

- Requirements to inform the parties involved in the agreement and other stakeholders
- [redacted] confirmed that he would write up [redacted] opinion asap given our need to progress this with Ministers

Actions

- Further background advice on [redacted] to be provided to group
- [redacted] to provide opinion to [redacted]
- [redacted]

Have a good weekend and see you on Monday at 1030

[redacted] | [redacted] | **The Scottish Government**
St Andrew's House | Regent Road | Edinburgh | EH1 3DG | T: 0131 2 [redacted] | M: [redacted]

From: [redacted]
Sent: 09 September 2021 19:43

To: [redacted]@gov.scot>; Pearce H (Hilary) <Hilary.Pearce@gov.scot>; [redacted]@gov.scot>; [redacted]@gov.scot>; [redacted]@gov.scot>; [redacted]@gov.scot>; Beattie C (Caroline) <Caroline.Beattie@gov.scot>; [redacted]@gov.scot>; [redacted]@gov.scot>

Cc: Macniven R (Ruaraidh) <Ruaraidh.Macniven@gov.scot>; Aitken R (Reuben) <Reuben.Aitken@gov.scot>; Chief Financial Officer <cfo@gov.scot>; Director of Economic Development <DirectorDED@gov.scot>; Rapid Response Unit <RRU@gov.scot>; [redacted]@gov.scot>; [redacted]@gov.scot>; [redacted]@gov.scot>

Subject: RE: OFFICIAL SENSITIVE - Next Steps - Historic transaction

Hi all

Please find below an agenda for tomorrow and a table of the main milestones relating to this piece of work [redacted]

Agenda

1. Introduction

2. Milestones – [REDACTED]

3. Next Steps

07/09/2021	Paper on Financial assurance (FA) to PAO
10/09/2021	[REDACTED]
14/09/2021	Initial advice to PAO on legal advice
17/09/2021	[REDACTED]
19/09/2021	[REDACTED] on TATA Contract
22/09/2021	Final advice to PAO
24/09/2021	[REDACTED]
24/09/2021	Note from PAO to Ministers
27/09/2021	[REDACTED]
29/09/2021	Discussion with Audit Scotland
04/10/2021	[REDACTED]
07/10/2021	Issue letters to Audit Scotland
07/10/2021	Letters to Parliament issued
07/10/2021	Issue of statement

Thanks

[REDACTED] | [REDACTED] | **The Scottish Government**
St Andrew's House | Regent Road | Edinburgh | EH1 3DG | T: 0131 2 [REDACTED] | M:
[REDACTED]

From: [REDACTED] <[REDACTED]@gov.scot>

Sent: 09 September 2021 08:13

To: Pearce H (Hilary) <Hilary.Pearce@gov.scot>; [REDACTED] <[REDACTED]@gov.scot>;

[REDACTED] <[REDACTED]@gov.scot>; [REDACTED] <[REDACTED]@gov.scot>; [REDACTED]

[REDACTED] <[REDACTED]@gov.scot>; [REDACTED] <[REDACTED]@gov.scot>; Beattie C (Caroline)

<Caroline.Beattie@gov.scot>; [REDACTED] <[REDACTED]@gov.scot>; [REDACTED]

[REDACTED] <[REDACTED]@gov.scot>

Cc: Macniven R (Ruaraidh) <Ruaraidh.Macniven@gov.scot>; Aitken R (Reuben)

<Reuben.Aitken@gov.scot>; Chief Financial Officer <cfo@gov.scot>; Director of Economic

Development <DirectorDED@gov.scot>; Rapid Response Unit <RRU@gov.scot>; [REDACTED]

[REDACTED] <[REDACTED]@gov.scot>; [REDACTED] <[REDACTED]@gov.scot>; [REDACTED]

[REDACTED] <[REDACTED]@gov.scot>; [REDACTED] <[REDACTED]@gov.scot>

Subject: OFFICIAL SENSITIVE - Next Steps - Historic transaction

Importance: High

Dear all

The work on the historic transaction for Liberty Steel Dalzell has been a combined effort across all our teams to date and it has pushed us considerably in terms of building up a picture based on the evidence that we can gather and then putting together an explanation for Ministers. One of the most challenging aspects has been in determining what the next steps need to be. This has required the specialist knowledge of each of your areas and we are at a critical point in the timeline with a number of dependent and intersecting actions over a short period with the [REDACTED] expected next week. [REDACTED]

I hope we can all agree that what we are aiming for is to ensure that our advice across legal, finance, state aid and future options for Dalzell is as complete as possible, coordinated and considers the impact of each aspect. I would like to suggest that we meet as a group three times a week at 1030 every Monday, Wednesday and Friday for a short, focussed discussion across the different stands and the Rapid Response Unit can provide project support to coordinate this activity for both Ministers and the PAO. This approach mirrors our response 'stand up' model and ensures everyone is sighted on all actions and dependencies. I suggest we start this on Friday and I hope you or someone from your team can join. We will put this in all your calendars and you can determine who is available to join and give updates on your areas.

I am keeping DG E and PS office as well as SpAds updated with this work, for efficiency SpAds may wish to join some of these discussions to hear the next steps

[REDACTED]

[REDACTED] – Rapid Response Division – COVID-19 Business Resilience and Support Directorate – Scottish Government

Tel: 0141 2 [REDACTED] Mob: [REDACTED]

E mail: [REDACTED]

[REDACTED]

Ruaraidh Macniven | Solicitor to the Scottish Government | Director of Legal Services,
Scottish Government Legal Directorate | [REDACTED]



[Right First Time](#): A practical guide for public authorities in Scotland to decision-making and the law

From: Aitken R (Reuben) <Reuben.Aitken@gov.scot>

Sent: 17 August 2021 14:55

To: DG Economy <DGEconomy@gov.scot>; Pearce H (Hilary) <Hilary.Pearce@gov.scot>; [REDACTED]
[REDACTED]@gov.scot>; [REDACTED]@gov.scot>; [REDACTED]
[REDACTED]@gov.scot>; [REDACTED]@gov.scot>; [REDACTED]
[REDACTED]@gov.scot>; [REDACTED]@gov.scot>;

Macniven R (Ruaraidh) <Ruaraidh.Macniven@gov.scot>

Cc: [REDACTED]@gov.scot>; Rapid Response Unit <RRU@gov.scot>;
Director of Economic Development <DirectorDED@gov.scot>

Subject: RE: Draft Submission - State Aid position re Tata-Longs SG indemnity of March 2016 - 16 August 2021

Thanks Liz.

I discussed with Ruaraidh this morning and he is joining the [REDACTED] call tomorrow.

Looping him in here.

He/his team are looking into the issue today to get up to speed and will be able to advise on the timescale for establishing if we have a stateable case that this isn't state aid [REDACTED]

My folks are pulling together the legal advice that was provided at the time and will share that with Ruaraidh and us all this evening so we have it in one place ahead of tomorrow.

Thanks,

R

From: DG Economy <DGEconomy@gov.scot>

Sent: 17 August 2021 09:09

To: Pearce H (Hilary) <Hilary.Pearce@gov.scot>; DG Economy <DGEconomy@gov.scot>; Aitken R (Reuben) <Reuben.Aitken@gov.scot>; [REDACTED]@gov.scot>; [REDACTED]@gov.scot>; [REDACTED]@gov.scot>; [REDACTED]@gov.scot>; [REDACTED]@gov.scot>; [REDACTED]@gov.scot>; [REDACTED]@gov.scot>

Cc: [REDACTED]@gov.scot>; Rapid Response Unit <RRU@gov.scot>;
Director of Economic Development <DirectorDED@gov.scot>

Subject: RE: Draft Submission - State Aid position re Tata-Longs SG indemnity of March 2016 - 16 August 2021

[REDACTED]

[Redacted]

L

From: Pearce H (Hilary) <Hilary.Pearce@gov.scot>

Sent: 17 August 2021 00:11

To: DG Economy <DGEconomy@gov.scot>; Aitken R (Reuben) <Reuben.Aitken@gov.scot>;

[Redacted] <[\[Redacted\]@gov.scot](mailto:[Redacted]@gov.scot)>; [Redacted]

[Redacted] <[\[Redacted\]@gov.scot](mailto:[Redacted]@gov.scot)>; [Redacted] <[\[Redacted\]@gov.scot](mailto:[Redacted]@gov.scot)>; [Redacted]

[Redacted] <[\[Redacted\]@gov.scot](mailto:[Redacted]@gov.scot)>; [Redacted] <[\[Redacted\]@gov.scot](mailto:[Redacted]@gov.scot)>; [Redacted]

[Redacted] <[\[Redacted\]@gov.scot](mailto:[Redacted]@gov.scot)>

Cc: [Redacted] <[\[Redacted\]@gov.scot](mailto:[Redacted]@gov.scot)>; Rapid Response Unit <RRU@gov.scot>;

Director of Economic Development <DirectorDED@gov.scot>

Subject: Draft Submission - State Aid position re Tata-Longs SG indemnity of March 2016 - 16 August 2021

Importance: High

Liz, Reuben et al

Following our meeting this morning and later conversations, please see first draft of submission to [Redacted] on State aid implications of the Tata/Liberty deal in 2016. Grateful for comments/suggestions **as soon as possible on Tuesday morning** given pressure of time to achieve further clearance and then put to Ministers before the meeting on Wednesday.

You will see that the submission seeks further time to put clear and full advice, including from [Redacted] colleagues, on the MEIP position in particular - which appears to have been the ultimate basis for the 'not state aid' conclusion arrived at in March 2016. I know there is time pressure for this to be progressed as soon as possible, but rushed advice now could compound the difficulties caused by rushed advice and decision in 2016.

[Redacted]

Thanks all

Hilary

Deputy Director - European Structural Funds and Subsidy Control Division

Working from home; contact me on: [Redacted] | @scotgovESIF

From: [Mason JK \(John\)](#)
To: [REDACTED]
Subject: [REDACTED]
Date: 24 March 2016 10:51:58
Attachments: [image001.jpg](#)
[116032409073403491.jpg](#)
[image004.jpg](#)
Importance: High

also for erdm please

JOHN MASON
Director of Economic Development
Scottish Government
Room GW.03, St Andrew's House
Edinburgh
EH1 3DG
Tel: 0131 2 [REDACTED]



From: Mason JK (John)
Sent: 24 March 2016 10:52
To: Permanent Secretary
Cc: DG Enterprise, Environment & Innovation; [REDACTED] Beattie C (Caroline); DG Finance Mailbox; Macdonald R (Roddy); Director of Financial Management
Subject: FW: [REDACTED]
Importance: High

Perm Sec

This was the assurance given by [REDACTED] this morning in relation to the 3 PAO points. The caveats in place were those we were aware of, particularly on the Parent Guarantee, but gives substantial assurance particularly on the back to back position of the 2 deals. The one slight variation on claims handling provisions was agreed to by us yesterday.

Happy to discuss

John

JOHN MASON
Director of Economic Development
Scottish Government
Room GW.03, St Andrew's House
Edinburgh
EH1 3DG
Tel: 0131 2 [REDACTED]



From: [REDACTED]
Sent: 24 March 2016 09:07
To: Mason JK (John); [REDACTED]
Cc: [REDACTED]; Beattie C (Caroline); Macdonald R (Roddy)
Subject: RE: [REDACTED]
Importance: High

John,

Thank you for your instructions.

In relation to the Permanent Secretary's three conditions, I should point out:

- No MoUs are in fact in place or now envisaged to be in place. The transaction moved on rapidly over the weekend - we are now in the position of going straight into binding contracts. This in the round should provide Ministers with greater legal certainty. The transaction is to be documented by entering into the Business Purchase Agreement and Business Sale Agreement in as close as can be achieved to a co-ordinated manner;

- [REDACTED]

- | [REDACTED]

- [REDACTED]

[REDACTED]

Best regards

[REDACTED]

[REDACTED]
DD +44 141 [REDACTED]
T +44 141 [REDACTED]
M [REDACTED]

From: John.Mason@gov.scot [mailto:John.Mason@gov.scot]

Sent: 24 March 2016 08:17

To: [REDACTED]@gov.scot

Cc: [REDACTED]
[REDACTED] Caroline.Beattie@gov.scot; Roddy.Macdonald@gov.scot

Subject: R [REDACTED]

[REDACTED]
[REDACTED]
I now have a full set of Ministerial sign offs and we are checking final documents.

The Permanent Secretary as PAO has set [REDACTED] conditions for approving this deal:

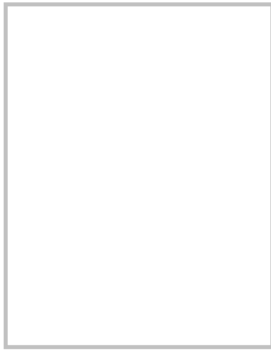
[REDACTED]
[REDACTED]
[REDACTED]
Please could you confirm by return that in your opinion these conditions are met in the 2 documents.

We will then arrange to sign. I will sign on behalf of Scottish Ministers. [REDACTED], will ring to check precisely what is needed

Kind regards

John

JOHN MASON
Director of Economic Development
Scottish Government
Room GW.03, St Andrew's House
Edinburgh
EH1 3DG
Tel: 0131 2 [REDACTED]



From: [REDACTED]
Sent: 23 March 2016 23:22
To: Beattie C (Caroline); Mason JK (John); Macdonald R (Roddy)
CC: [REDACTED]
Subject: [REDACTED]
Importance: High

All,

I am delighted to report that we have now agreed both the Purchase and On-sale of the Clydebridge and Dalzell steelworks, [REDACTED]

[REDACTED]

[REDACTED]

Best regards

[REDACTED]

DD +44 141 [REDACTED]
T +44 141 [REDACTED]
M [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]



[REDACTED]

[REDACTED]

[REDACTED]

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Dh'fhaodadh gum bi teachdaireachd sam bith bho Riaghaltas na h-Alba air a chlàradh neo air a sgrùdadh airson dearbhadh gu bheil an siostam ag obair gu h-èifeachdach neo airson adhbhar laghail eile. Dh'fhaodadh nach eil beachdan anns a' phost-d seo co-ionann ri beachdan Riaghaltas na h-Alba.

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From: [REDACTED]
To: [REDACTED]
Cc: [Mason JK \(John\)](#); [Macdonald R \(Roddy\)](#); [REDACTED]
Subject: FW: [REDACTED]
Date: 06 April 2016 09:45:48
Attachments: [116040516571602527.jpg](#)
[Tata site LAN217900.PDF](#)

All

[REDACTED] answers to the specific issues raised by our property team below.

Also, they have considered the wider concern that there may be liabilities inherited from the wider Ravenscraig site. The key point is that while there may be a residual liability if Liberty House were unable to fulfil their liabilities [REDACTED] "that is only in respect of the defined properties of Dalzell and Clydebridge not Ravenscraig." Thus any speculation (a la Sunday Times article) is just that, and not based on any factual evidence.

I hope this helps

[REDACTED]

From: [REDACTED]
Sent: 05 April 2016 16:57
To: [REDACTED]
Subject: [REDACTED]

[REDACTED]

I refer to your email with a list of issues and our subsequent conversation.

In both the Tata Agreement and the Liberty Agreement the Dalzell and Clydebridge properties are described with reference to their Title numbers. We have provided you with copies of the title plans for those title numbers. The extent of the properties is as shown on the title plans.

The Ministers have granted an indemnity to Tata in respect of the defined liabilities which relate to the properties these include environmental liabilities. In turn Liberty indemnify the Ministers in respect of the same liabilities.

[REDACTED]

[REDACTED]

I have searched the Land Register to see if Tata own any other property in the vicinity of Dalzell and Ravenscraig. They do still own an area at Ravenscraig [REDACTED] This is not included in the Agreement between Tata and the Scottish Ministers.

[REDACTED]

[REDACTED]

[REDACTED]

[Redacted]

[Redacted]

[Redacted]

Kind regards,

[Redacted]

[Redacted]

DD +44 141 [Redacted]

M [Redacted]

[Redacted]

[Redacted]

From [Redacted] [@gov.scot](#)

Sent: 05 April 2016 11:46

To: [Redacted]

Subject: RE: [Redacted]

[Redacted]

I gather there has been speculation in the media that wider liabilities with respect to the Ravenscraig site may be inadvertently inherited.

Minsters will want to be reassured that this is not the case.

Hope this helps.

[Redacted]

From: [Redacted]

Sent: 05 April 2016 11:36

To: [Redacted]

Subject: [Redacted]

[Redacted]

As discussed

The issues raised by our property team are as follows:

- The site boundaries as shown accord with what was observed on a tour around Dalzell in November.
- Blue shading on a title plan usually denotes a servitude right of access (SROA); LAN174607

appears to be stopped up to north east end and may have formed a SROA to Ravenscraig in the past ? From recollection it is not used as an access but appears to form an integral part of the site.

- Similarly, LAN188496 is not delineated on the ground and, again from recollection, it simply forms a piece of waste ground

- Clydebridge is located at Cambuslang and is well away from Ravenscraig, [REDACTED]

And finally, the team are suggesting that any query re the potential inclusion of any part of the Ravenscraig site be resolved with the sellers solicitors and the Keeper.

There is now a degree of urgency as it is likely that a Minster will visit the site on Friday and this issue needs to be resolved prior to that meeting.

I hope this all makes sense? Happy to discuss.

Regards

[REDACTED]

[REDACTED] / [REDACTED] | Innovation, Investment & Industries Division | The Scottish Government
4th Floor, Atlantic Quay | 150 Broomielaw | Glasgow | G2 8LU | Tel: 0300 2 [REDACTED]

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Dh'fhaodadh gum bi teachdaireachd sam bith bho Riaghaltas na h-Alba air a chlàradh neo air a sgrùdadh airson dearbhadh gu bheil an siostam ag obair gu h-èifeachdach neo airson adhbhar laghail eile. Dh'fhaodadh nach eil beachdan anns a' phost-d seo co-ionann ri beachdan Riaghaltas na h-Alba.

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