

Welcome - from the man on the Hill

A very warm welcome to the first of Traprain's occasional e-newsletters. We have had a very busy start to 2007: we've launched our new web site and relocated our office (of which, more later), and now we have the opportunity to give you a quick glimpse at what is keeping us busy. I hope you can take a few minutes to catch up on our news, and that you find it interesting and informative.



Please let me know if you have any comments or questions, or if you would like more information about what we're doing, or what we are capable of handling. We aim to be flexible and responsive, so will respond to you quickly.

I'll take up no more of your time but look forward to being in contact with you soon.

Peter Foreman Chief Executive

New Office for Traprain

Traprain has now relocated to a newly-refurbished office just a short distance from our previous home, which served us well for the last four years.

■ [For more, please click here](#)

New Website Launched

Traprain has been a busy organisation over recent months – not least as we have been working on our new web site: www.traprain.com. We hope you will appreciate the up-to-date design and approach of the site and the more extensive information about our range of services.

■ [For more, please click here](#)

Traprain's CRINE Link

The CRINE contracts (now called LOGIC) were drafted in the 1990's as a standard for the North Sea oil & gas industry and have been widely used both in that industry, and elsewhere in the world. The contracts have not received a great deal of judicial attention, but the case of Western Geco –v- ATP in late 2006 illustrates the importance of careful drafting in relation to Special Conditions.

■ [For more, please click here](#)

New Services Added to Portfolio

As the Traprain Network expands and extends its reach, we listen closely to our clients to identify additional services and support that will be helpful to them. Then we identify the best people we can to provide those services.

Two such services we have recently added are Human Resource Management and Public Relations/Corporate Communications.

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Making Sweet Music

For the first time, Traprain is sponsoring part of the Music at Paxton festival this summer. Based at historic Paxton House near Berwick on Tweed, the festival runs from 20-29 July and is an emerging event in the classical music calendar.

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Traprain Advises in South America

Traprain has been retained by existing client, Aberdeen-based Wood Group, to advise its Venezuelan subsidiary on issues arising from a contract relating to PEMEX's refinery at Veracruz in Mexico.

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Traprain goes Worldwide

Traprain's work in recent months has, as ever, taken our team to virtually every corner of the globe, working across a range of sectors. The Middle East and Russia continue to be areas of substantial activity.

■ [For more, please click here](#)

Successful Tendering the Target

Traprain is working on behalf of Scottish Enterprise Dumfries & Galloway (SEDG) to provide mentoring and a series of training workshops for small and medium sized businesses in the region.

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Meet a Member of the Traprain Network

Introducing Vicky Jack, a member of the Traprain Network. A Human Resource specialist with many years' experience, Vicky Jack has worked at director level with companies such as Trafalgar House and North of Scotland Water Authority, managing the establishment and development of HR systems in an environment of constant change.

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New Office for Traprain

Traprain has now relocated to a newly-refurbished office just a short distance from our previous home, which served us well for the last four years.

We moved early in February – a process which was relatively pain-free - and are now well established at our new address:

3 High Street
East Linton
East Lothian
EH40 3AA
Scotland
UK

Our telephone and fax numbers remain the same, although the launch of our new web site (see New Traprain Web Site story) gives us the opportunity to update our on-line communication. Our new email format is therefore:

first name.lastname@traprain.com

We welcome visitors should you be in the area, or travelling up the A1, although I can't recommend calling in on spec! Coffee is free.

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Traprain has been a busy organisation over recent months – not least as we have been working on our new web site: www.traprain.com. We hope you will appreciate the up-to-date design and approach of the site and the more extensive information about our range of services.

As ever, the site is a work in progress and we will be adding more information on a regular basis, keeping it up to date and ensuring that it provides visitors with an accurate picture of what the Traprain Network is doing.

We hope you will visit occasionally: please don't hesitate to let us have your comments and queries: we want to make the site useful for everyone who visits.

Traprain's CRINE Link

The CRINE contracts (now called LOGIC) were drafted in the 1990's as a standard for the North Sea oil & gas industry and have been widely used both in that industry, and elsewhere in the world. The contracts have not received a great deal of judicial attention, but the case of *Western Geco –v- ATP* in late 2006 illustrates the importance of careful drafting in relation to Special Conditions.

This is of particular interest to us, since Traprain's Peter Foreman was involved in their initial drafting, and the consultancy's team have used them on live projects in the UK and abroad. This included working with Canadian lawyers in modifying the standard for use by a major Canadian oil company.

The particular case related to a seismic contract, and used a CRINE/LOGIC standard, which provided that the Contractor (Western Geco) was liable for damage caused to third parties by their negligence. However, the parties also negotiated a Special Condition that the Client (ATP) would indemnify the Contractor in the case of "any liability under this contract" which exceeded the total paid to Western Geco under the contract.

Western Geco damaged property of Total, and it was accepted that they had been negligent. The claim from Total exceeded the money received from ATP under the contract, and Western Geco claimed the excess under the indemnity.

The judge looked at the structure of the contract, and saw a clear distinction between claims between the parties, and those made by third parties. Accordingly, he held that "liability under this contract" was restricted to claims between ATP and Western Geco, and the indemnity did not apply.

The lessons from this case are (1) English courts will, increasingly, look at the intentions of the parties when interpreting contracts, and (2) all liability, exclusion or limitation clauses, including indemnities, need to be drafted carefully.



Making Sweet Music

For the first time, Traprain is sponsoring part of the Music at Paxton festival this summer. Based at historic Paxton House near Berwick on Tweed, the festival runs from 20-29 July and is an emerging event in the classical music calendar.

Our sponsorship is of a concert to be given by Canto Vivo!, part of a series of nine concerts planned. Canto Vivo! comprises artists Claire Debono (soprano) and Simon Thacker (guitar).

In addition, we're delighted that thanks to match funding of our sponsorship from the Scottish Executive's New Arts Sponsorship Award, Canto Vivo! will also give concerts in three residential homes in the area on the days leading up to the concerts. This is being organised in association with Yehudi Menuhin's trust 'Live Music Now!'.



New Services Added to Portfolio

As the Traprain Network expands and extends its reach, we listen closely to our clients to identify additional services and supports that will be helpful to them. Then we identify the best people we can provide those services.

Two such services we have recently added are Human Resource Management and Public Relations/Corporate Communications. Vicky Jack, who is profiled elsewhere in this newsletter, and Sue Bush join the network to offer clients expertise in every aspect of HR, particularly where there is change to be managed. We are sure they are valuable additions to the Traprain team.

Providing expertise in public relations and corporate communications is Eileen Prior, who joins the network with many years of experience of working at the highest level on a wide range of projects and clients. She has particular expertise in the construction, engineering and property sectors, managing issues and public consultation programmes.

Both of these services dovetail very well with the existing Traprain offering and we are sure will quickly become an integral part of the services accessed by our clients.

Traprain Advises In South America

Traprain has been retained by existing client, Aberdeen-based Wood Group, to advise its Venezuelan subsidiary on issues arising from a contract relating to PEMEX's refinery at Veracruz in Mexico.

Traprain has advised other clients on Mexican offshore projects in the past, and established a strategic alliance with Mexico City based consultancy Excelsa which provides Traprain with an excellent resource in the region. Further details of Excelsa and their services will appear in a later edition of this Newsletter.

Successful Tendering the Target

Traprain is working on behalf of Scottish Enterprise Dumfries & Galloway (SEDG) to provide a series of training workshops for small and medium sized businesses in the region. The aim of the training workshops is to help local businesses take full advantage of the forthcoming work relating to the decommissioning of Chapelcross Nuclear Power Station.

The workshops will assist local businesses in the tendering process, build confidence and will also provide a follow up mentoring service.

Leah Rafferty from Scottish Enterprise Dumfries and Galloway said: "There will be a lot of potential work for local businesses and contractors in the decommissioning of Chapelcross and we will be working with local businesses to ensure that they have the right skills in place to maximise these opportunities."

Peter Foreman from Traprain commented: "We have an excellent reputation for delivering training in niche markets, especially in rural locations. We are enjoying working with Businesses in Dumfries and Galloway and hope that they find the training useful and productive."

Traprain Goes Worldwide

Traprain's work in recent months has, as ever, taken our team to virtually every corner of the globe, working across a range of sectors. The Middle East and Russia continue to be areas of substantial activity. Here's a snapshot of some recent projects:

- Braving sub-zero temperatures, we delivered training in Moscow on risk management for Russian oil company Lukoil in association with Euromatech
- Our team provided advice and support to the Canadian subsidiary of a well-known Norwegian company on negotiations arising from a major gas plant project in Iran
- Without claiming any athletic prowess, we were able to advise the Edinburgh Marathon on funding and regulatory issues
- Closer to home (in fact just a short sea voyage from our office), we helped Fife-based coach operator Premier Travel put in place a management plan relating to commercial factoring arrangements
- Looking East once again, we provided advice to a major hedge fund on Russian offshore activity
- Our team supported Aberdeen-based Nexus on establishing a branch in Kazakhstan
- For one client we helped in the formation of new company, MetalsDNA Ltd
- We advised Icelandic clients on a dispute relating to steel erection in the UK
- We worked on the close out of a subcontract retention dispute on a glazing contract on behalf of the main contractor

In short, a fairly typical – and typically varied – period for Traprain!



She is the only Scottish woman to have climbed the Seven Summits, and the second to have climbed Mt Everest.

Meet a Member of the Traprain Network

A Human Resource specialist with many years' experience, Vicky Jack has worked at director level with companies such as Trafalgar House and North of Scotland Water Authority, managing the establishment and development of HR systems in an environment of constant change. She is also a sportswoman of some note, and is successful in combining her two great passions in life.

Vicky has worked at every point in the organisational cycle, from establishing systems for a new organisation, to harmonising employment terms, TUPE transfers, managing, closures and redundancy arrangements of others. Her specialisations are managing change and developing teams, where she has had extensive experience.

In 2002 Vicky chose to work independently, a choice which gave her the opportunity to devote more time to climbing. Having completed six of the Seven Summits (ie the highest peak in each continent), Vicky set her sights on number seven – Mt Everest. Well aware that the training and climbing involved would be a substantial drain on her time, Vicky opted for a flexible work life.

Although unsuccessful first time round, when bad weather closed in just a few hundred feet from the top, Vicky returned the following year and successfully reached the summit. She is the only Scottish woman to have climbed the Seven Summits, and the second to have climbed Mt Everest.

Vicky is working around the world on major HR projects, and no doubt hatching another plan for a major climb!