

[To be printed on Developer's headed notepaper]

Dear Sirs

**Letter of Undertaking**

[ insert brief description of Works]

We intend to develop certain subjects at [ ] by constructing a [residential/commercial] development and in connection with the foregoing, we require to carry out certain works which affect part of the A[ ] Trunk Road.

We understand that we require the consent of Transport Scotland, as the roads authority for the Trunk Road, to the carrying out of such works and that Transport Scotland's consent is conditional upon us entering into a Minute of Agreement.

Notwithstanding that the Minute of Agreement has not yet been entered into, we understand that Transport Scotland will be willing to enter into technical discussions with us prior to the Minute of Agreement (and related drawings) being finalised but that only on receipt of an appropriate undertaking from us in respect of such technical discussions.

Therefore we hereby confirm that we will reimburse all proper and reasonable costs actually incurred by Transport Scotland in relation to the matters referred to above within 14 days of receipt by us of a written demand (together with such reasonable evidence of the costs incurred as we may reasonably request). We undertake to pay the foregoing costs irrespective of whether or not the Minute of Agreement is ultimately entered into.

In the event that we decide that we no longer wish Transport Scotland to incur any of the abovementioned costs then we shall notify Transport Scotland in writing and we shall only be liable for any costs incurred by Transport Scotland prior to the date of receipt by Transport Scotland of such notification. For the avoidance of doubt we shall remain liable for any costs incurred by Transport Scotland prior to the date of notification but invoiced after such date.

This undertaking to meet costs will only apply up to a maximum amount of [£ ] exclusive of VAT. Transport Scotland shall advise us if this capped amount has been reached and we shall notify Transport Scotland as soon as practicable if we agree to an increase in the capped amount, failing which Transport Scotland shall have no obligation to enter into any further technical discussions.

Yours Sincerely