

Rùnaire a' Chaibineit airson Ceartas Soisealta  
Taigheadas agus Riaghaltas Ionadail  
Cabinet Secretary for Social Justice, Housing and  
Local Government  
Shona Robison MSP



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08 March 2023

Dear Sheriff Thomas McCartney,

I write to provide the Scottish Government's formal response to the recent Fatal Accident Inquiry into the deaths of Simon Midgley and Richard John Dyson, published on 11 January 2023. My sympathies remain with the families of Mr Midgley and Mr Dyson.

As part of your determination, recommendation four and recommendation five were directed towards the Scottish Government and I attach under Annex A, our formal response to these.

I am grateful to the Scottish Courts and Tribunal Service for their work on this important Fatal Accident Inquiry and for publication of this report.

Yours Sincerely,

Shona Robison MSP  
Cabinet Secretary for Social Justice, Housing and Local Government

**SHERIFFDOM OF NORTH STRATHCLYDE AT PAISLEY SHERIFF COURT**

Court ref: PAI-B383-21

**RESPONSE**

to the

DETERMINATION OF SHERIFF THOMAS MCCARTNEY

UNDER THE INQUIRIES INTO FATAL ACCIDENTS AND SUDDEN DEATHS  
ETC. (SCOTLAND) ACT 2016

IN THE

INQUIRY INTO THE DEATHS OF SIMON MIDGLEY AND RICHARD JOHN  
DYSON

To: the Scottish Courts and Tribunals Service

being a person to whom a recommendation under section 26(1)(b) was  
addressed, do respond as follows:

**1. Recommendation four:** *The Scottish Government should consider introducing for future conversions of historic buildings to be used as hotel accommodation a requirement to have active fire suppression systems installed.*

The Scottish Government accepts this recommendation. As part of the work to consider this, a Short Life Working Group has been created which includes relevant internal and external stakeholders. The Working Group has already met and as part of its work, will consider the wider aspects of this recommendation in more detail. The work will be overseen by the current Building and Fire Safety Ministerial Working Group, chaired by the Cabinet Secretary for Social Justice, Housing and Local Government.

**2. Recommendation five:** *The Scottish Government should constitute an expert working group to more fully explore the special risks which existing hotels and similar premises may pose through the presence of hidden cavities or voids, varying standards of workmanships, age, and the variance from current standards and to consider revising the guidance provided by the Scottish Government and others.*

The Scottish Government accepts this recommendation. As part of the work to consider recommendation four (a Short Life Working Group has been created), recommendation five will also be investigated and where appropriate, the expert panel working group will fully explore the special risks raised including any consideration to revise relevant guidance. The work will be overseen by the current Building and Fire Safety Ministerial Working Group, chaired by the Cabinet Secretary for Social Justice, Housing and Local Government.