



**SCS ESTATES, HEALTH, SAFETY, FIRE AND SECURITY COMMITTEE
MEETING: THURSDAY 28 APRIL 2011 AT 10.00 AM**

Present:

Sheriff Derek Pyle, Non-Executive Member SCS Board (Chair) (DP)
John Mark Di Ciacca, Non-Executive Member (JMDC)
Norman Fiddes, Non-Executive Member (NF)
Trevor Warne, Non-Executive Member (TW)
Neil Rennick, Executive Director Strategy and Infrastructure, SCS (GW)
David Forrester, Director Field Services (Development), SCS (DF)
Gillian Jewell, Director Property and Services, SCS (GJ)

Apologies:

Sheriff Iona McDonald, Non-Executive Member SCS Board (IM)
Robert Milligan, QC Non-Executive Member SCS Board (RM)

Also Attended:

Lorna Souter, Secretariat Support Team, SCS, (Minutes) (LS)

1. Welcome and Introductions

- 1.1 DP welcomed the three new non-executive members of the Committee, who each introduced themselves.

2. Minutes of the Meeting of 20 January 2011

- 2.1 The minutes of the meeting held on Thursday 20 January were approved.

3. Matters Arising

1. FM Contract Retender

1.6 *GJ to review the level of security currently maintained at PH.* - GJ had now reviewed the security arrangements currently in place and the Committee agreed that no further action was required.

1.7 *GJ to look into arranging for members of the day cleaning staff to be trained to clean body spillages in court cells to reduce significant delays in court business.* – After review, the Committee noted that occurrences had not normally caused major delays in court business and there were no savings to be made in recruiting day cleaners dedicated to respond to such incidents. It was therefore agreed that no change in procedure was required.

2. Any Other Business

2.1 *Estates Strategy: GJ to finalise Estates Strategy for presentation to the March SCS Board.* – Considered further at Item 4 below.

2.2 *Charitable Status: GJ to finalise report on Charitable Status and other forms of funding for presentation to the March SCS Board.* - The charitable status proposal has been discussed with the Finance department in SG but no response has been received so far. The Committee agreed that it was worth pursuing the matter to gain a better understanding from the SG of what the implications would

be for SCS and wider public finances. It would also demonstrate that SCS was interested in making efficiencies via this approach.

ACTION: GJ to scope out the Charitable Status application for submission.

ACTION: JMDC to supply GJ with contact details of those in other organisations who could provide guidance on making a charitable status application (eg Edinburgh Leisure).

2.3 Interviews of New Estates Committee Members: *DP would report further on Tuesday 25 January regarding his mobility, and subject to this, would provide possible dates in the next few weeks when he would be available to commence the interviews.* – Completed – Three new members are now appointed.

4. Estates Strategy Discussion

4.1 GJ presented the draft outline Estates Strategy and DF gave an overview of court business developments and how these impact on the estate strategy. In particular, he noted the actions already in hand to reduce split court locations as well as the Making Justice Work Programme currently underway between SCS/SPS/COPFS/SLAB/SG and the Police to create efficiencies through revised court processes, access and programming.

4.2 Responding to the Estates Strategy, NR highlighted three matters:

- There is a lack of capital budget available at present so that no significant new investment is likely to be able to be made over the immediate term. Most of the existing capital budget is committed to the PH project;
- SCS is projecting further reductions in overall revenue funding over the next few years. SCS could make savings of the scale anticipated without looking to rationalise court estate costs;
- Feasibility work is being carried out regarding how court work is done across the estate. This is likely to encourage changes in how court services are accessed, for example, with more services provided on-line or in specialist centres.

4.3 TW noted that it would be important to draw out the impact of any estate changes for other court users when approaching the next Spending Review. These were not clarified at present within the strategy. Furthermore it was not clear how the business change programme, which David Forrester, outlined was reflected in the strategy.

4.4 It was agreed that GJ, DF, TW, JMDC and possibly also Craig McCorkindale, Head of Service Development, should meet to discuss the development of the Estate Strategy further, taking into consideration the main principles of the work required to be delivered by the courts but with reference also to the budget benefits to be realised from the options available.

ACTION: GJ to arrange meeting to discuss the Estate Strategy further with DF, TW, JMDC and Craig McCorkindale.

5. Finance Paper

5.1 As had been noted, SCS's capital allocation from Scottish Government has reduced by 50% (c.£10m) compared with 2010/11, with most of the funding committed to the continuing Parliament House project and to unavoidable ICT upgrading.. This has resulted in concern over having sufficient funding to carry out essential backlog maintenance and securing confirmation of funding to continue Phase 3 of the PH project beyond the current year. GJ advised that a

contingency plan should be set in place in the event of SCS not being awarded the budget for completing Phase 3 work. If SCS is not given the budget, it will end up with a budget surplus in not being able to start Phase 3 with existing funds. Under the SG annuality rules, this amount could be lost.

ACTION: GJ to devise a list of possible actions to be undertaken as a contingency plan should SCS not receive the budget for PH Phase 3.

ACTION: NR to notify the SCS Audit Committee of the red risk attached to the PH Phase 3 budget requirements.

6. Additional Sources of Finance

- 6.1 DP advised that full discussion on this topic be held over until the next Committee meeting, however, he requested that TW and JMDC explore potentials for raising revenues to be presented.

ACTION: TW and JMDC to explore potentials for raising revenues to be presented at the end July Estates Committee meeting.

7. Bid for Essential Maintenance on the Court Estate

- 7.1 GJ noted the outcome of a review of the statutory compliance and condition of the SCS estate and further analysis by Property & Services Unit. The Committee agreed that items that represented priority risks such as statutory requirements or Health and Safety issues should be prioritised. £1.3m would be required to complete this work in the coming year. Specific provision for these costs was not identified within the budget, but could be accommodated through the reallocation of savings from Phase II of the Parliament House project and savings on the Facilities management contract. Further consideration could then be given to low priority/low impact risks that could be managed/controlled in the longer term.
- 7.2 NF advised that a further £1m should be budgeted for in order to cover unexpected issues that could arise. GJ noted that this might be made available through increased FM efficiencies.
- 7.3 The Committee accepted the recommendations made in the report and agreed that the paper be submitted to the SCS Board, highlighting the £1.3m budget available, the likely requirement during 2011/12 for further funding provision to be made to deal with unexpected building failures.

8. Shared Services Papers - COPFS

- 8.1 DP presented a draft contract that he had prepared for the shared service agreement between SCS and COPFS. The Committee noted its preference for the use of 'secondment' of staff as opposed to 'temporary transfer' of staff in the wording of the document.
- 8.2 The Committee agreed the contract in principle. It would be possible to reassess the agreement in 12 months time.
- ACTION: DP and GJ to review the Shared Services Agreement and draw up a final draft.**

9. Quorum

- 9.1 The Committee agreed that the quorum for the Estates Committee should be five people, at least one of which should be a member of the SCS Board.

10. Dates for next meetings during this financial year

- 10.1 It was agreed that the next meeting of the Estates Committee should be arranged for the end of July so as to be able to report to the SCS Board on 8 August. Items for the agenda should include a H&S Report, the Annual Report to the Board and Options for Alternative Funding. The following meeting would be arranged for the end of November.

ACTION: LS to arrange end July and November Estates Committee meetings.

11. Any Other Business

- 11.1 Declaration of Interest:

ACTION: NF, TW and JMDC to notify LS of any interests that might impact on their service to the Estates Committee.

- 11.2 Induction for New Members:

ACTION (1): GJ to arrange a visit to PH for Norman Fiddes.

ACTION (2): LS to provide new members with Estates Committee members' contacts list.

ACTION (3): LS to send electronic T&S Claim Form to new members.