



# MINUTES

## SCS ESTATES, HEALTH, SAFETY, FIRE AND SECURITY COMMITTEE MEETING: WEDNESDAY 18 SEPTEMBER, 1A PARLIAMENT SQUARE, EDINBURGH

### Present:

Sheriff Iona McDonald, Non-Executive Member SCS Board (Chair) (IM)  
Sheriff Principal Derek Pyle (DP)  
Trevor Warne, Non-Executive Member (TW)  
Robert Milligan QC, Non-Executive Member SCS Board (RM)  
John Mark Di Ciacca, Non-Executive Member (JMDC)  
Norman Fiddes, Non-Executive Member (NF)

### Also Attended:

David Currie, Interim Director Property and Services, SCS (DC)  
David Fraser, Director Operations Delivery, SCS (DF)  
Neil Cook, Chief Finance Officer, SCS (NC)  
Cliff Binning, Chief Operations Officer, SCS (CB) - (Item 6 only)  
Alan Swift, Director Human Resources, SCS (AS) - (Item 10 only)  
John McMillan, Security Manager, SCS (JMCM) – (Item 10 only)  
Margaret Peattie, Secretariat Business Manager, SCS (Minutes)

### Apologies: None

## 1. Welcome & Introductions

1.1 The Chair welcomed David Fraser, who would attend these meetings now that David Forrester had retired, and introduced Cliff Binning who would present an overview of estates development needs aligned to future court structures and the justice reform programme.

## 2. Minutes of the Meeting on 22 May 2013

2.1 The Minutes of the last meeting were approved.

## 3. Matters Arising (including feedback from SCS Board)

3.1 There were no outstanding actions from the last meeting.

### *Update on Estates Matters from the SCS Board*

3.2 The Chair reported on estates matters considered by the SCS Board at its meetings in June and August.

3.3 In June it had accepted the Committee's recommendations and approved projects to improve the heating and lighting in the PSA wing of Parliament House and the replacement of thin wall copper piping in Glasgow Sheriff Court, allocating the necessary funding for that work. The Board had also been briefed on the development of a feasibility study for a justice centre in the Borders.

3.4 In August the Board had released funds from the Reserve for investment in projects on estates backlog maintenance and improvement projects prioritised by the Committee. A business case for improving capacity for high court trials in Edinburgh would be presented to the Committee for consideration at item 7.

#### **4. Budget Report (SCS/EST/Sep13/10)**

4.1 The Committee received a report on budget performance to the end of August 2013, which also reflected on the current financial position and risk. It heard that following the Board's allocation of funding from the Reserve, a number of estates projects were now underway with work commissioned to ensure that expenditure was achieved in the current financial year. This was a step change in the estates planning process. It was noted that releasing money from the Reserve at this stage gave the Executive greater flexibility to use the budget effectively and mitigate the risk of a capital underspend at the end of the financial year.

4.2 In previous years the release of capital funding from the Reserve towards the end of the year put pressure on the Property & Services unit to commission work and achieve budget spend in the last few months of the financial year. By doing so and building in a contingency for unforeseen events as part of the planning process, the Executive was now in a better position to make the best use of any additional funding received from Scottish Government in-year, should that become available.

4.3 In November, the Committee would receive a re-forecast of all current planned projects to confirm the expected outcome for 2013-14 and provide the basis for a list of potential estate project spend to utilise future Scottish Government additional funding. It would also receive an overview of disposal plans and potential financial consequences.

#### **5. Estates Project RAG Report (SCS/EST/Sep13/11)**

5.1 The Project RAG report was reviewed. The Committee was satisfied that there were no areas which required immediate action or decision.

5.2 Performance against the corporate carbon reduction target was slightly behind. A notice with ten energy saving tips had been published on the staff Intranet to encourage local initiatives and the FM contractor was refocusing efforts to bring efficiencies.

#### **6. Strategic Overview of Estates Development Needs**

6.1 CB gave an overview of the long term aims and timeframe for achieving a court estate to meet the needs of court users in the future. The Justice Committee's approval of the Orders for court closures was now being implemented and gave certainty to estates priorities and requirements for the delivery of court structures over the next three years.

6.2 It was agreed that it would be helpful for the Committee to have a more detailed outline of emerging estates requirements and an indication of the impact which the Scottish Government's justice reform programme might bring about in the longer term. The next meeting would be extended to include a workshop session on this subject.

#### **7. New Business Cases (SCS/EST/Sep13/12 and SCS/EST/Sep13/17)**

##### ***Capacity for High Court Business in Edinburgh***

7.1 The Committee discussed the business case for improving facilities in court 3 of Parliament House to re-accommodate criminal appeal court business, which would result in the capacity in the Lawnmarket returning to a four high court trial complex. Some high court trials were being heard in Edinburgh sheriff court at the moment and this work would bring that arrangement to an end.

7.2 The Committee was satisfied that this option was consistent with the overall court structures strategy and provided the best long term solution for high court business in Edinburgh and **approved** the business case and allocation of funding for this work to be completed in the current financial year.

### **Aberdeen Sheriff Court**

7.3 The business case for improvement in Aberdeen was presented for discussion. The need to improve court capacity there had been an issue for some time and the preferred option to extend the accommodation and carry out necessary improvement work, including on custody facilities, would ensure optimal service delivery for the future and build the foundation for implementation of the court structures programme.

7.4 The Committee **approved** the business plan. As the value of the project exceeded its delegated authority, the Committee **agreed** to recommend to the SCS Board that it allocate funding to enable the work to be carried out in this financial year.

## **8. Sheriff Appeal Court Update (SCS/EST/Sep13/13)**

8.1 An options paper for a national sheriff appeal court based on the proposal currently under consideration in the Scottish Government's draft civil courts reform Bill was received. It was noted that discussions on this were still in their early stages and a further report would be brought back to the Committee once there was more certainty around legislative changes as the Bill progressed through Parliament.

## **9. Committee's Annual Report to the SCS Board (SCS/EST/Sep13/14)**

9.1 The Committee considered its draft report for the SCS Board. This would be updated to reflect the decisions made at this meeting and the Committee would finalise the report at its meeting in November before submitting it to the Board. Members were invited to comment on the draft or suggest any further information that might be included.

***Action: Members to provide Secretariat with any comments on or revisions to the draft annual report to the Board by 18 October.***

## **10. Health Safety & Security Works Committee (SCS/EST/Sep13/15)**

10.1 AS and JMcM presented the annual report from the Executive's Health Safety and Security Works Committee (HSSWC) which comprises SCS operational managers, the TUS, managers from the SCS Property and Services unit with representation from the Sheriffs' Association and the Crown Office and Procurator Fiscal Service.

10.2 The report reflected on the work done in the year 2012-13 and highlighted the work being carried out by the Health, Safety and Security team to plan the strategy for the coming years and the challenges and key factors which would impact on the organisation. The team worked collaboratively with partners in the wider justice sector and would continue to do so to ensure effective reporting and review of all health and safety, fire and security matters.

10.3 The Committee welcomed the report and was content that the priorities for the year ahead were aligned to the overall estates strategy. The Chair thanked Alan and John for providing a comprehensive report on the important work being done by the Health, Safety and Security Team and the HSSWC.

### **Shared Services**

10.4 *The record of the discussion under this agenda item is considered confidential and exempt from publication.*

## **11. Risk Management (SCS/EST/Sep13/16)**

11.1 Following discussion at the last meeting, this report outlined the Executive's approach to risk management on estates matters and the range of measures in place to identify risk and ensure they are properly managed and mitigated. These were aligned to the SCS Risk Management Framework which had been circulated to members before the meeting. The Committee **agreed** that this report provided it with assurance that risk was being managed effectively.

## **12. Update on Other Estates Matters**

### ***Police Properties***

12.1 The establishment of a single police force meant that Police Scotland was reviewing its estate to align with the management plan. The Executive was in discussion with them about legacy estate matters, particularly where there were shared facilities in police and court buildings, and would keep the Committee informed on progress.

### ***Lawnmarket Roof***

12.2 The project to replace parts of the roof of the Lawnmarket building was progressing with no disruption to court business.

### ***Justice Centre Development***

12.3 Following discussions with Scottish Borders Council, the Crown Office and Procurator Fiscal Service, Police Scotland and the Scottish Government, the Executive had initiated a feasibility study on a justice centre model to serve the Scottish Borders. A copy of the remit would be circulated to the members for information.

***Action: Secretariat to circulate a copy of the remit for a feasibility study on a justice centre model to serve the Scottish Borders.***

## **13. Any Other Business**

13.1 None.

In closing the meeting, the Chair thanked David Currie for all his work in writing the papers and business cases for the Committee.