

MINUTES

SCTS ESTATES, HEALTH & SAFETY, FIRE AND SECURITY COMMITTEE MEETING: Thursday 19 November 2015, Parliament House, Edinburgh

Members Present:

Sheriff Iona McDonald, Non-Executive Member SCTS Board (Chair)
Sheriff Grant McCulloch, Non-Executive Member SCTS Board
Professor Hugh MacDougall, Non-Executive Member SCTS Board
Tom Gorman, Non-Executive Member (external)
Aileen Gomes, Non-Executive Member (external)
Donald Wooley, Non-Executive Member (external)

Attended:

Richard Maconachie, Chief Finance Officer, SCTS
David Currie, Director Property & Services, SCTS
Noel Rehfisch, Corporate Secretary, SCTS
Pam McFarlane, Acting Director Operations Delivery, SCTS
Margaret Peattie, Secretariat Business Manager, SCTS (Minutes)

Apologies:

None.

1. Minutes of the Meeting of 17 September 2015

1.1 The Minutes of the last meeting were approved.

2. Matters Arising

2.1 There were no outstanding action points which would not be discussed elsewhere on the agenda.

2.2 Following the Committee's discussion in September the draft Minutes from the last meeting of the SCTS Board had been circulated along with the papers issued to members for today's meeting. The Chair reported on matters discussed or decisions made at the Board meeting which had a bearing on estates matters. These included:

- Feedback from members' visits to courts at Kirkcaldy and Dundee and the office of the Public Guardian.
- The workshop session on spending review challenges.

4. Review of Risk – Project RAG Report (SCTS/EST/Nov15/18)

4.1 The Committee received the project RAG report and noted that the majority of projects were reporting "green". Two projects had been assessed as "red" and these were discussed. The Committee was satisfied that appropriate actions were being taken and agreed that the Executive should continue to monitor progress and report on any further slippage.

4.2 The Executive highlighted ten projects rated amber. In the majority of cases the rating reflected milestones which had slipped due to delays caused by third parties. The Committee considered that there was no cause for concern and that no immediate action was required.

4.3 The Committee discussed the provision of remote sites for vulnerable witnesses in areas where courts had closed under the court closure programme. As part of the implementation of provisions for special measures under the Victims and Witnesses (Scotland) Act 2014 the Executive was carrying out an assessment of current and likely use of remote sites and the Committee would receive an update at a future meeting.

4.4 The Executive reported that the Scottish Government was carrying out a review of its estate as part of its “Smarter Workplace Initiative”. The Committee would be kept informed of any impact this may have on the SCTS estate, particularly in relation to the tribunal reform agenda.

5. Health Safety and Security Assessment - Kirkcaldy

5.1 Board members of the Committee were among those who had visited the courts at Kirkcaldy before the formal Board meeting in October. Following members’ feedback the Board had asked the Executive to update the risk assessment and look at how risk was being managed and mitigated there. This work had been commissioned and the Executive would report to the Committee and the Board early next year.

6. Estates Budget 2015-16 (SCTS/EST/Nov15/19)

6.1 The Committee received the estates budget performance report to the end of October. The Executive would submit a paper to the Board with proposals for utilising the revenue reserve, which would be considered at its December meeting. The Property & Services Unit would maintain the list of “shovel ready” projects so that any allocation of provision to estates could be utilised before the end of the financial year.

6.2 The outcome of the UK Government’s spending review would be announced later this month and the Executive was analysing the budget pressures that were likely to arise as a consequence of the Scottish Government’s budget decisions.

6.3 The Committee agreed that the format and level of detail in the estates budget report was appropriate and that the Executive should continue to provide an update which reflected on any changes since the last report. In its February update members asked the Executive to provide further detail on the chargeable maintenance figures.

Action: Executive to provide information on chargeable maintenance figures in the next Estates Budget Report.

7. Justice Centre Update

7.1 The Executive reported that no further information on budget provision for justice centre development had been received from Scottish Government. It was unlikely that anything would be clarified until after spending review decisions had been taken but the Executive continued to highlight current and future budget pressures in discussions with Scottish Government officials.

8. New Business Cases

8.1 The Committee was advised that no new business cases were being presented for consideration at today’s meeting.

9. Civil Court Reform Update

9.1 The Committee noted that the Sheriff Appeal Court for criminal business had been established in the Lawnmarket and that the first case had now been heard there. The Sheriff Appeal court for civil cases would be established in Parliament House in January and, by using existing court room and ancillary facilities, there was no impact on estates budgets.

9.2 The national Personal Injury Court had also been established in Edinburgh Sheriff Court and the Committee agreed that this item could now be removed as a standing agenda item for future meetings.

10. Committee's Annual Report to the Board (SCTS/EST/Nov15/20)

10.1 The final draft of the Committee's Annual Report to the SCTS Board, which had been updated to reflect matters discussed at the last meeting, was considered. It was agreed that subject to a revision of the wording of paragraph 9 (Priorities for the Coming Year/Forward Look) the Annual Report should now be submitted to the Board.

11. Committee Appraisal (SCTS/EST/Nov15/21)

11.1 A summary of members' responses to the appraisal questionnaire was discussed outwith the presence of the Executive.

11.2 The Committee agreed that the Executive should provide further detail in its reports to explain how success is measured and the level of performance achieved. It would also be helpful if Board members on the Committee provided external members with details of Board discussions leading to decisions on estates matters which differed from recommendations made by the Committee.

(Members of the Executive were invited to re-join the meeting.)

12. Any Other Business

12.1 None.

13. Date of Next Meeting

13.1 The next meeting would be held on Thursday 25 February 2016 at 1.00 pm in Parliament House.

14. Workshop Session – Development of the SCTS Estates Strategy

14. In this workshop session led by Noel Rehfisch and David Currie, Committee members were invited to consider what the vision for a new SCTS Estates Strategy for 2016-20 should be, along with proposals for core objectives and key estates priorities.

14.2 In discussion, members commented that the Board had set out the vision for the SCTS in the Corporate Plan and that the vision for the Estates Strategy should be aligned to that. In setting out the estates core objectives, there should also be recognition of the statutory responsibility placed on the organisation by the Judiciary & Courts (Scotland) Act 2008.

14.3 Members also considered the changing world and noted that recent events made it essential that the document should incorporate an appropriate strategy for security

and ensure building design principles included the flexibility to ensure continuity of operation across the SCTS estate.

14.4 Given known budget pressures and the uncertainty of future estates capital and revenue funding, maintaining assets and improving operations were seen as the highest strategic priorities for estates. Although it was not wrong to want to be an exemplar, aspirations had to be balanced with the reality of the current financial environment and the need to achieve best value.

14.5 It was agreed that the Executive would now develop an outline Strategy and share that with the Committee for consideration. Members' feedback would then be used to inform a further iteration to be discussed in more detail at a workshop session before the February meeting.

Scottish Courts and Tribunals Service
November 2015