



MINUTES

SCTS ESTATES, HEALTH & SAFETY, FIRE AND SECURITY COMMITTEE MEETING: Monday 13 November 2017, Parliament House, Edinburgh

Members Present:

Sheriff Iona McDonald, Non-Executive Member SCTS Board (Chair)
Sheriff Grant McCulloch, Non-Executive Member SCTS Board (Deputy Chair)
May Dunsmuir, President, Additional Support Needs Tribunals for Scotland
Professor Hugh MacDougall, Non-Executive Member SCTS Board
Tom Gorman, Non-Executive Member (external)
Donald Wooley, Non-Executive Member (external)
Aileen Gomes, Non-Executive Member (external)

Attended:

Richard Maconachie, Chief Finance Officer, SCTS
David Currie, Director Property & Services, SCTS
Dennis McCall, Acting Sheriffdom Business Manager TC&F, SCTS
Noel Rehfisch, Corporate Secretary, SCTS
Hollie Gibson, Executive Support Officer, SCTS (Minutes)

Apologies:

Yvonne Taylor, Interim Director Operations Delivery, SCTS

1. Declaration of Interests

1.1 No formal interests were declared. Sheriff McCulloch noted that he was a resident Sheriff at Kirkcaldy Sheriff Court and, as such, had been consulted in development of the proposals detailed at item 9, as a key user of the court facilities.

2. Welcome and Apologies

2.1 The Committee noted apologies from Yvonne Taylor, Interim Director Operations Delivery, and welcomed Dennis McCall, Interim Sheriffdom Business Manager for Tayside, Central and Fife, who was in attendance to provide an operations perspective.

3. Minutes of the Meeting of 11 September 2017

3.1 The minutes of the last meeting were approved.

4. Matters Arising

4.1 There were no outstanding action points from the previous meeting.

4.2 The Chair highlighted issues discussed and decisions made at the October meeting of the SCTS Board which had a bearing on estates matters.

5. Feedback from Committee – Executive Response Report (SCTS/EST/Nov17/24)

5.1 A paper was presented outlining proposals for the scheduling of meetings in 2018. The Committee agreed the schedule in principle, noting that the proposed dates would allow committee discussions to inform the Board meeting that would follow shortly thereafter.

Members were also supportive of proposed site visits in 2018, the dates and locations of which would be finalised at a future meeting.

5.2 The Executive advised that, where necessary to keep members fully apprised of ongoing key projects, appropriate use of correspondence papers would be made between meetings. Ad hoc meetings could also be arranged to discuss specific issues at the request of members should they be considered necessary.

5.3 Members reviewed the key themes and priorities set out in the SCTS Estates Strategy and agreed that the Committee would consider strategic areas that would benefit from further discussion or in-depth sessions at meetings over the course of the coming year.

6. Review of Risk – Project RAG Report (SCTS/EST/Nov17/25)

6.1 The Executive briefed the Committee on current estates projects, drawing attention to those projects where risks had been identified and measures put in place to manage them. Following discussion, members were content that the projects rated red and amber were being monitored appropriately and managed effectively.

7. Estates Budget Update 2017-18 (SCTS/EST/Nov17/26)

7.1 Members reviewed the PSU budget for 2017-18. The Committee were content that the budget was being managed effectively and recognised the financial constraints in place due to the current economic climate.

7.2 Whilst the majority of the budget had now been committed; flexibility remained in order to manage any unplanned incident or events. The Executive maintained a prioritised list of 'shovel ready' projects that would address backlog maintenance issues should any late-release funding become available from the Scottish Government towards the end of the financial year. It was agreed that the Executive would share the list of projects where work could commence immediately with the Committee for information.

8. Inverness Justice Centre - Update (SCTS/EST/Nov17/27)

8.1 The Committee were updated on the current position of the project. Some delays had been experienced in the tendering exercise for construction packages. Effective management of this process was the responsibility of the principal contractor. The Executive had expressed concern over the delays and their potential impact on the timing and delivery of the project. In response the principal contractor had admitted shortcomings in their approach to date, strengthened their management and delivery team and agreed to reassess the costings and timescales for delivery. Assurances that the project would continue to be delivered to time and within the agreed budget had been sought.

8.2 Members noted the position and expressed their concern that the assurances sought by the Executive should be secured as soon as possible.

Action - a progress update on delivery of the project was requested by the committee ahead of the SCTS Board meeting in December.

9. Kirkcaldy Sheriff Court – Update (SCTS/EST/Nov17/28)

9.1 The committee reviewed a feasibility study for the development of improved court accommodation in Kirkcaldy, noting that the proposals would be broken into two phases, with the first delivering new court accommodation to alleviate pressures in the existing Kirkcaldy Sheriff Court and the second taking the form of a longer-term plan to deliver a modernised court complex with accommodation for justice partners.

9.2 The Executive had recently presented these proposals to staff and Sheriffs in Kirkcaldy. They were well received. The full two-phase proposal had the potential to significantly improve accommodation levels in the longer term and it was acknowledged that phase one provided a good short-medium term improvement on current conditions. Members commended the work undertaken so far. The full Business Case would be circulated to the Committee for comment, ahead of submission to the SCTS Board in December.

10. Devolved Tribunals Integration (SCTS/EST/Nov17/29)

10.1 The Committee were updated on the fit out works that had recently commenced in 3 Atlantic Quay, for the development of the integrated tribunals centre. The works would be split into two phases, with the first readying the ground to third floors for the relocation of SCTS staff currently based in other Glasgow buildings with leases due to terminate in 2018. Phase 2 would cover the fit out of the remainder of the building, delivering the full integrated tribunals facility

10.2 Members were advised that additional funding may be available to develop the vulnerable witness suite that would be incorporated in the building – to provide a state of the art facility for child and vulnerable witnesses in the Glasgow area. A judicially-led working group had been convened to consider this opportunity. The Committee were supportive of this proposal and agreed that plans should be developed to make use of available funding.

10.3 Members were updated on a review of tribunal accommodation in Edinburgh which was being carried out by the Scottish Futures Trust. A feasibility report would be presented to the Committee at its next meeting.

11. Crown Office Estate (SCTS/EST/Nov17/30)

11.1 The Crown Office and Procurator Fiscal Service (COPFS) Estates Strategy, which was developed under the shared service, had been published recently. The strategy identified the need for COPFS to make savings on its estates budget and considered a number of potential options for doing so. The Committee were advised that the SCTS Director of Property and Services Unit was part of a recently established Project Board which would identify recommendations for appropriate savings, ensuring SCTS involvement in discussions and the development of any proposals. Members were satisfied that this provided appropriate oversight of implementation of the strategy and its potential impact on SCTS.

12. Disposal of Former Court Buildings – Arbroath and Stonehaven (SCTS/EST/Nov17/31)

12.1 At their September 2016 meeting, members had considered a report and approved the recommendation that the SCTS should agree to the sale of the former Stonehaven Sheriff Court for a nominal fee, on the condition that the Stonehaven Town Partnership (STP) could provide evidence that they had been, or would be, successful in securing funding for initial professional services and capital expenditure. That position had now been confirmed, with STP making clear they had funding package in place to support the refurbishment and operations in the Building. On this basis Members approved the recommendation that, subject to ministerial approval, the SCTS proceed with the sale of the former Stonehaven Sheriff Court to the STP.

12.2 A proposal from the Arbroath Community Courthouse Trust to transfer the former Arbroath Court building had also been considered by the Committee at their September 2016 meeting. At that point in time the Committee were of the view that further development and identification of funding was required ahead of any decision being reached. Members considered and agreed that a further extension (to 1 April 18) should be provided to the Trust to allow them to confirm that funding for the proposal is in place.

13. Contractors Framework – Full Tender Report (SCTS/EST/Nov17/33)

13.1 The process of retendering the framework contract which provided SCTS with a list of approved contractors for regular estates works was underway. An update was provided to the Committee on the process, which is expected to be complete with a new framework in place by April 2018. The Executive advised that the full report would be issued for decision in correspondence to the Committee before the end of the year.

14. Custody Risk Assessment – Follow Up (Oral)

14.1 The Committee were advised that follow up work on the Custody Risk Assessment report was ongoing and would be presented at the next meeting. Committee members noted the position

14.2 Members were advised that Her Majesty's Inspector of Prison's (HMIP) had acknowledged the improvements made to the custody accommodation in Glasgow Sheriff Court in their recently published annual report. The relevant extract from their annual report reads

HM CHIEF INSPECTOR OF PRISONS - ANNUAL REPORT 2016-17

COURT CELLS INSPECTION

Following our report of the conditions of the cells at Glasgow Sheriff Court, we were encouraged by the positive response from the Scottish Courts and Tribunals Service (SCTS). The custody suite, where detainees had been held in unsatisfactory conditions, had been transformed by the removal of graffiti, increased lighting, improved decoration and better operational processes. We were pleased to see the sustained improvement to the conditions in the cells and the treatment of people detained in the custody suite. HMIPS subsequently developed and published a set of Standards for Inspecting Court Custody Provision, following consultation with both the SCTS, the Scottish Prison Service (SPS) and the external contractor G4S.

15. Annual Report to the SCTS Board (SCTS/EST/Nov17/33)

15.1 Members reviewed and approved the final draft of their Annual Report to the SCTS Board, subject to minor amendments.

16. Any Other Business

16.1 This was Sheriff McDonald's final meeting as Committee Chair. The Committee and Executive thanked her for all of her support, effort and work over the years as both a member of the Committee since 2010 and Chair of the Committee since 2012.

16.2 It was announced that Sheriff Grant McCulloch would succeed Sheriff McDonald as Chair of the Committee, with Professor Hugh MacDougall taking up the position of Deputy Chair.

17. Date of Next Meeting

17.1 The date of the next meeting was 5 March 2018.