

ANNEX A

FW: Relocation of giant pandas at Edinburgh Zoo

Attachment: [redacted: Regulation 105a]

From: [redacted: Regulation 11(2)]
Sent: 18 April 2019 11:38
To: [redacted: Regulation 11(2)]
Subject: FW: Relocation of giant pandas at Edinburgh Zoo

[redacted: Regulation 104e] internal communication

From: [redacted: Regulation 11(2)]
Sent: 18 April 2019 10:47
To: [redacted: Regulation 11(2)]
Subject: FW: Relocation of giant pandas at Edinburgh Zoo
Importance: High

From: [redacted: Regulation 11(2)]
Sent: 18 April 2019 09:11
To: [redacted: Regulation 11(2)]
Cc: [redacted: Regulation 11(2)]
Subject: FW: Relocation of giant pandas at Edinburgh Zoo
Importance: High

[redacted: Regulation 11(2)]

Sorry to trouble you but this letter has been sent to Animal Welfare for action. Unfortunately, this is not an issue that Animal Welfare is involved in.

The attached letter follows on from the submission from [redacted: Regulation 11(2)] of 18 February 2019 which discussed the re-development of the former Corstorphine Hospital with Cab Sec Culture etc. and Minister for Local Government etc.

The attached letter suggests an arrangement being made to allow planning permission to be granted on the condition that alternative accommodation was funded by the Scottish Government. It now transpires that there are additional costs involved in constructing the alternative closure and the RZSS is seeking the Scottish Government to agree to pay these.

Can you please confirm that the response would sit with your branch.

Best wishes

[redacted: Regulation 11(2)]

From: [redacted: Regulation 11(2)]
Sent: 18 April 2019 08:44
To: [redacted: Regulation 11(2)]
Cc: [redacted: Regulation 11(2)]
Subject: FW: Relocation of giant pandas at Edinburgh Zoo
Importance: High

[redacted: Regulation 11(2)]

Please see the attached letter RZSS to the First Minister. Grateful if you can prepare a draft response for FM or the appropriate portfolio Minister.

PEU – Can the case be put on MACCS for an urgent response please and allocated to [redacted: Regulation 11(2)]

Much appreciated

[redacted: Regulation 11(2)]

From: [redacted: Regulation 11(2)]
Sent: 17 April 2019 12:55
To: First Minister
Subject: Relocation of giant pandas at Edinburgh Zoo

Dear First Minister

Please see attached a letter from [redacted: Regulation 11(2)] of The Royal Zoological Society of Scotland

Kind regards

[redacted: Regulation 11(2)]

Attachment: [redacted: Regulation 105a]

FW: FOR ACTION - URGENT: Relocation of giant pandas at Edinburgh Zoo

From: [redacted: Regulation 11(2)]
Sent: 23 April 2019 14:24
To: [redacted: Regulation 11(2)]
Cc: [redacted: Regulation 11(2)]
Subject: RE: FOR ACTION - URGENT: Relocation of giant pandas at Edinburgh Zoo

[redacted: Regulation 11(2)]

I have extended the distribution list to include the Cabinet Secretary for Health and Sport and relevant health officials for awareness.

I will draft the letter and clear it through the Cabinet Secretary for Health.

Regards

[redacted: Regulation 11(2)]

From[redacted: Regulation 11(2)]
Sent: 23 April 2019 12:59
To: [redacted: Regulation 11(2)]
Cc: [redacted: Regulation 11(2)]
Subject: FOR ACTION - URGENT: Relocation of giant pandas at Edinburgh Zoo
Importance: High

[redacted: Regulation 11(2)]

Further to the exchanges below, the FM has seen the letter in her weekend box and has commented that she would like to see a draft response ASAP with any associated findings, then she will decide if she wishes to respond herself.

Grateful if you can have a response to our office by the end of the week.

Kind regards

[redacted: Regulation 11(2)]

From: [redacted: Regulation 11(2)]
Sent: 18 April 2019 11:25
To: [redacted: Regulation 11(2)]
Cc: [redacted: Regulation 11(2)]
Subject: FOR ACTION - URGENT: Relocation of giant pandas at Edinburgh Zoo

[redacted: Regulation 11(2)]
– I hope you enjoyed your days off!

I've attached the letter that was sent to the First Minister from the RZSS regarding the giant pandas.

Is this something you'd be able to pick up and respond to please? You'll have also been cc'ed into another email chain from Animal Welfare, as they were initially asked to respond which has a little bit of background too.

Thanks a lot,

Regards

[redacted: Regulation 11(2)]

From: [redacted: Regulation 11(2)]
Sent: 18 April 2019 09:25
To: [redacted: Regulation 11(2)]
Subject: FW: Relocation of giant pandas at Edinburgh Zoo

From: [redacted: Regulation 11(2)]
Sent: 17 April 2019 18:18
To: [redacted: Regulation 11(2)]
Cc: [redacted: Regulation 11(2)]
Subject: RE: Relocation of giant pandas at Edinburgh Zoo

[redacted: Regulation 105a]

From: [redacted: Regulation 11(2)]
Date: Wednesday, 17 Apr 2019, 6:00 pm
To: [redacted: Regulation 11(2)]
Cc: [redacted: Regulation 11(2)]
Subject: FW: Relocation of giant pandas at Edinburgh Zoo

[redacted: Regulation 11(2)]

Please see the attached letter RZSS to the First Minister. Grateful if you can prepare a draft response for the appropriate Minister – FM or Ms Hyslop.

Much appreciated

[redacted: Regulation 11(2)]

From: [redacted: Regulation 11(2)]
Sent: 17 April 2019 12:55
To: First Minister
Subject: Relocation of giant pandas at Edinburgh Zoo

Dear First Minister

Please see attached a letter from [redacted: Regulation 11(2)] of The Royal Zoological Society of Scotland

Kind regards

[redacted: Regulation 11(2)]

RE: New home for Giant Pandas

From: [redacted: Regulation 11(2)]
Sent: 07 September 2018 10:39
To: [redacted: Regulation 11(2)]
Cc: [redacted: Regulation 11(2)]
Subject: RE: New home for Giant Pandas

Thanks for the quick turnaround [redacted: Regulation 11(2)] and yes that is very helpful.

Regards

[redacted: Regulation 11(2)]

From: [redacted: Regulation 11(2)]
Sent: 07 September 2018 10:33
To: [redacted: Regulation 11(2)]
Cc: [redacted: Regulation 11(2)]

Subject: New home for Giant Pandas

[redacted: Regulation 11(2)]

This proposal wouldn't constitute State aid. It doesn't meet the four State aid tests. The support package being put in place is for the health and wellbeing of an endangered species/

The funding could therefore come direct from either SG or NHS

I hope this helps

[redacted: Regulation 11(2)]

From[redacted: Regulation 11(2)]

Sent: 07 September 2018 09:23

To: [redacted: Regulation 11(2)]

Cc: [redacted: Regulation 11(2)]

Subject: New home for Giant Pandas

[redacted: Regulation 104e] internal communication .

I wonder if you could help me again. Last year NHS Lothian reached an agreement to sell Corstorphine Hospital for ~£6.5 million to a private developer who is planning to convert the site into residential property. Before the agreement could be finalised, Edinburgh Zoo raised an objection to the plans asserting that the development would be too noisy and disruptive to the pandas and it would adversely impact on their breeding programme. [redacted: Regulation 104e].

With that instruction in mind, there were only two options – abandon the sale or move the pandas. [redacted: Regulation 104e].

Before we make any payment, [redacted: Regulation 11(2)] suggested that I get your opinion on whether there are any state aid issues that may stop us from paying for a new enclosure.

If possible, it would be helpful if you could provide a quick opinion. [redacted: Regulation 105a]

[redacted: Regulation 104e].

I will phone later today, once you have had a chance to consider.

Regards

[redacted: Regulation 104e] internal communication .

RE: New Animal Enclosure

Attachment:

[redacted: Regulation 11(2)]

From: [redacted: Regulation 11(2)]
Sent: 20 March 2019 13:18
To: [redacted: Regulation 11(2)]
Cc: [redacted: Regulation 11(2)]
Subject: RE: New Animal Enclosure

Dear [redacted: Regulation 11(2)]

Please find attached our third claim under section 3.2 of the RZSS and Scottish Government Cooperation Agreement.

Please do not hesitate to get back to me if you require further detail.

With kind regards
[redacted: Regulation 11(2)]

From: [redacted: Regulation 11(2)] **Sent:** 20 March 2019 13:07
To: [redacted: Regulation 11(2)]
Cc: Seonaid Fowler [redacted: Regulation 11(2)]
Subject: FW: New Animal Enclosure

[redacted: Regulation 11(2)]

Further to our discussion today I will ask Seonaid to submit the next claim under the cooperation agreement. As indicated this was due to be above the maximum contribution level agreed, however I will limit this to the maximum for this claim.

Regards,
[redacted: Regulation 11(2)]

From: [redacted: Regulation 11(2)]
Sent: 15 March 2019 17:21
To: [redacted: Regulation 11(2)]
Cc: [redacted: Regulation 11(2)]
Subject: RE: New Animal Enclosure

[redacted: Regulation 11(2)]

Following up from our discussion last week we are due to submit the next claim for expenditure projected in March and April. Based on the Turner Townsend cost forecast this will take the total claimed to £2,158,899 (£1,117,451 paid to date plus a £1,041,448 claim for March and April). As anticipated this is over the agreed maximum contribution of £2,102,936 within our Cooperation Agreement.

I was planning to hold off submission of this claim until we had a response to the issues that we raised last week. I'll give you a call on Monday to discuss progress.

Regards,

From: [redacted: Regulation 11(2)]
Sent: 08 March 2019 16:55
To: [redacted: Regulation 11(2)]

Cc: [redacted: Regulation 11(2)]
Subject: RE: New Animal Enclosure

[redacted: Regulation 11(2)]

Thank you for taking the time to come in and discuss the progress with our enclosure. I've attached the spreadsheet that was discussed which sets out the budgeted costs, the projected costs and comments on main elements of overspend.

Seonaid will be working with Turner Townsend next week to prepare a cash forecast over the remaining months of the project which is scheduled to complete in May. This will form the basis of our next claim.

I'm out of the office until next Thursday, but if you need any more information in the interim please feel free to contact the rest of the team.

Regards,

[redacted: Regulation 11(2)]

From[redacted: Regulation 11(2)] **Sent:** 04 March 2019 17:59
To: [redacted: Regulation 11(2)]
Subject: RE: New Animal Enclosure

[redacted: Regulation 11(2)]

That works for me and happy to come to the Zoo.

Look forward to seeing you.

[redacted: Regulation 11(2)]

From[redacted: Regulation 11(2)]
Sent: 04 March 2019 15:31
To: [redacted: Regulation 11(2)] **Subject:** RE: New Animal Enclosure

[redacted: Regulation 11(2)]

Does 2pm on Friday 8th suit? Are you happy to come to the Zoo to meet?

Regards,

[redacted: Regulation 11(2)]

From: [redacted: Regulation 11(2)]
Sent: 01 March 2019 17:52
To: [redacted: Regulation 11(2)]
Subject: RE: New Animal Enclosure

[redacted: Regulation 11(2)]

Any time after 12 on the 8th works for me.

Regards

[redacted: Regulation 11(2)]

From: [redacted: Regulation 11(2)]
Sent: 01 March 2019 12:31
To: [redacted: Regulation 11(2)]
Subject: New Animal Enclosure

[redacted: Regulation 11(2)]

You are due to receive a progress report on the new enclosure next week, which will show the progress with the project but also flag some issues. We would like to arrange a meeting next week to discuss these. Are you available on Friday 8th for a meeting with [redacted: Regulation 11(2)] and I?

Regards,

[redacted: Regulation 11(2)]

RE: Disposal of Corstorphine Hospital and Impact on Giant Pandas

Attachments:

[redacted: Regulation 104e]

From: [redacted: Regulation 11(2)] data protection
Sent: 20 September 2018 10:24
To: [redacted: Regulation 11(2)] data protection
Subject: RE: Disposal of Corstorphine Hospital and Impact on Giant Pandas

[redacted: Regulation 11(2)] data protection

As discussed, original briefing from March plus a more recent one I sent to alert the new Cabinet Secretary to the situation.

Regards

[redacted: Regulation 11(2)] data protection

From: [redacted: Regulation 11(2)] data protection
Sent: 20 September 2018 10:07
To: [redacted: Regulation 11(2)] data protection
Cc: [redacted: Regulation 11(2)] data protection
Subject: RE: Disposal of Corstorphine Hospital and Impact on Giant Pandas

[redacted: Regulation 11(2)] data protection

To provide an update to you and the copy list regarding the disposal of Corstorphine Hospital and the impact on the giant pandas at Edinburgh Zoo. Yesterday afternoon, the Royal Zoological Society of Scotland (RZSS), Sundial Dundas (property developers) and Scottish Government signed a Cooperation Agreement which set out a package of financial, operational and other mitigation measures which will fully address the concerns of RZSS in connection with the Development. In light of these measures, RZSS has agreed to withdraw their objections and will write to the Council and other stakeholders informing them that the Agreement will avoid any adverse or unacceptable impact on animal welfare at Edinburgh Zoo.

What this essentially means is that a new panda enclosure will be built in a different part of the zoo, which will allow the development to take place once the pandas have moved. This has allowed the Developer and NHS Lothian to conclude missives and ensures that the property receipt is secured.

The RZSS are delighted at this outcome as are NHS Lothian.

I have spoken separately to [redacted: Regulation 11(2)] data protection and she is considering our communications strategy.

Regards

[redacted: Regulation 11(2)] data protection

From: [redacted: Regulation 11(2)] data protection

Sent: 12 March 2018 10:02

To: [redacted: Regulation 11(2)] data protection

Cc: [redacted: Regulation 11(2)] data protection

[redacted: Regulation 11(2)] data protection

[redacted: Regulation 11(2)] data protection

Subject: RE: Disposal of Corstorphine Hospital and Impact on Giant Pandas

[redacted: Regulation 11(2)] data protection

Thank you for copying your submission to the First Minister. I understand that Mr Stewart has indicated he is content for a case-specific Notification Direction to issue. The First Minister has noted that it is extremely important that a resolution is found that ensures the protection of the pandas. I would be grateful if you could continue to ensure we are copied in to any further advice / updates in relation to this issue.

[redacted: Regulation 11(2)] data protection

From: [redacted: Regulation 11(2)] data protection

Sent: 09 March 2018 17:04

To: Cabinet Secretary for Health and Sport

Cc: [redacted: Regulation 11(2)] data protection

Subject: Disposal of Corstorphine Hospital and Impact on Giant Pandas

[redacted: Regulation 11(2)] data protection

Attached is a briefing which provides an update on the current position regarding NHS Lothian's disposal of Corstorphine Hospital and how it might impact on the Giant Pandas at Edinburgh Zoo. Clearly this is an issue

that involves a variety of areas across government and we will be working on a solution that balances the interests of all parties and which makes the best use of resources.

Regards

[redacted: Regulation 11(2)] data protection

RE: Disposal of Corstorphine Hospital

From: [redacted: Regulation 11(2)]
Sent: 19 September 2018 08:12
To: [redacted: Regulation 11(2)]
Cc: [redacted: Regulation 11(2)]
Subject: RE: Disposal of Corstorphine Hospital

Thanks [redacted: Regulation 11(2)]
This has clearly been a complicated and sensitive issue and that feels like an appropriate outcome.

I agree that a note to update those involved would be helpful.

[redacted: Regulation 11(2)]

Sent with BlackBerry Work (www.blackberry.com)

From: [redacted: Regulation 11(2)] **Sent:** 18 Sep 2018 22:02
To: [redacted: Regulation 11(2)]
Cc: [redacted: Regulation 11(2)]
Subject: Disposal of Corstorphine Hospital

[redacted: Regulation 11(2)]

With [redacted: Regulation 11(2)] due to sign the cooperation agreement tomorrow, it would probably be appropriate to update you as you were not included in the copy list of recent communication.

As you know, NHS Lothian were due to sell Corstorphine Hospital to a property developer for £6.5 million until the Royal Zoological Society of Scotland (RZSS) raised a planning objection. While in normal circumstances such a planning appeal would be dealt with by the local council, due to the unique nature of the objection, Scottish Government (planning division) gave themselves the option of calling in any planning application for this development. This along with the First Minister's instruction that the welfare of the pandas should be the priority (rather than ensuring the sale of the asset) meant we had to find a solution which worked for the pandas so we either called off the sale or found a new home for the pandas.

Since the sale of the property was comfortable in excess of the cost of finding a new home for the pandas, the option to continue with the sale but find a new home was clearly the best solution. RZSS identified a different area in Edinburgh Zoo where the pandas could be moved, but the cost of building a new enclosure was estimated to cost £1.8 million. A cooperation agreement was drafted which stated that provided the RZSS removed their planning objection, then Scottish Government would cover the cost of the new enclosure.

[redacted: Regulation 104e] internal communication

In addition to the work we have undertaken, NHS Lothian have been engaged with their property and legal advisors and their comments have been reflected in the proposed agreement which [redacted: Regulation 11(2)] is due to sign.

[redacted: Regulation 104e]

The costs are reflected in full in the capital plan

[redacted: Regulation 11(2)]

Attachment [redacted: Regulation 104e] legal advice

From: [redacted: Regulation 11(2)]

Sent: 20 July 2018 16:52

To: [redacted: Regulation 11(2)]

Cc: [redacted: Regulation 11(2)]

Subject: Disposal of Corstorphine

Importance: High

[redacted: Regulation 11(2)]

I hope you had a good holiday and apologies for sending this to you while still on leave.

As discussed with you we have asked the Developer to consider a contribution to the relocation of the Pandas – we have still to receive a formal reply to this and I have asked Rydens to chase this on behalf of the Board.

We met with the RZSS and the Developer on the 13th July which was a positive meeting. The cost plan was presented prior to the meeting and the estimated cost provided by Turner Townsend is £1,597,404 which includes professional fees, fit out and a contingency of £116,000, but is exclusive of VAT. The RZSS have confirmed that they are eligible to recover 30% of the VAT – which equates to 223,647.

It was explained that the contribution would likely come from Scottish Government and not NHSL and the process for this has still to be agreed. It was noted that to enable the appointment of the contractor the agreement would require to be put in place regarding the payment. In order to meet the timescales the agreement would need to be in place mid August.

I spoke briefly to [redacted: Regulation 11(2)] and note that it would be Morton Fraser that would have to be involved in any preparation of the legal agreement.

I have attached my notes of the meeting from last week. More than happy to discuss about how we take this forward.

Thanks

[redacted: Regulation 11(2)]

From: [redacted: Regulation 11(2)]

Sent: 23 April 2018 09:41

To: [redacted: Regulation 11(2)]

Cc: [redacted: Regulation 11(2)]

Subject: RZSS feasibility study

[redacted: Regulation 11(2)]

I updated the Cabinet Secretary on our meeting and she was content for Scottish Government to support the cost of undertaking the survey. Once the full cost of any development is known, then she would like a further update to decide what options are available.

[redacted: Regulation 11(2)]

– do you receive any money from Scottish Government on a regular basis? If there is an existing mechanism for getting money to you, then my preference would be for me to make an internal transfer to that division and then for them to transfer the money, rather than setting something new up. If not, then we will make another arrangement.

Regards

[redacted: Regulation 11(2)]

From: [redacted: Regulation 11(2)]

Sent: 19 April 2018 17:02

To: [redacted: Regulation 11(2)]

Cc: [redacted: Regulation 11(2)]

Subject: FW:

Dear [redacted: Regulation 11(2)]

Thanks to you and your colleagues too, for a productive meeting on Monday. Please find attached a copy of the final sound and vibration report from Xi Engineering Consultants. A meeting has also taken place with Turner Townsend and we are hoping to be able to share costs with you by the end of next week.

Kind regards,

[redacted: Regulation 11(2)]

From: [redacted: Regulation 11(2)]

Sent: 19 April 2018 16:48

To: [redacted: Regulation 11(2)]

Subject:

[redacted: Regulation 11(2)]

Please find attached the final report for submission to [redacted: Regulation 11(2)]

.

Kind regards

[redacted: Regulation 11(2)]