

(A). In relation to the figures cited in Annex B, under the heading of the column, “The total cost of the works to the buildings under the scheme” to provide information as to whether the figures quoted, for each property, constituted the whole cost of the scheme of works; and if not to state those whole costs.

In making this request I would point out that , for example, the works to the Fiscals office at 48 South St. Elgin are quoted as saying £2.250.000, with a grant of £1.800,100. However in fact I have been advised by the COPFS in writing that the actual total costs are now estimated to be £3.56Million.

A second example of the full costs not being shown is in relation to the Crown Office HQ at 25 Chambers street. Here it is stated that the total cost of the works was £7,330 000 and total the grant £6,830,000.

But then There is also a reference to works at 25 Chambers Street Edinburgh costing £3.8 Million and the grant £2.25M

These appear to be two schemes for one building. Can you please clarify why two sets of figures are shown. Moreover these figures are not the same as provided by the COPFS. I am therefore sending this to John Logue at COFPS with whom I have already been in FOI correspondence to ask him to explain why there are two sets in your information and only one in his and why they vary - his are different from yours.

The information I got from Mr Logue re the total costs of the building were that the total square metre age of the buildings at the Chamber St HQ is 4296 sq m and the costs per metre £2642.61. This gives a total cost of £11,354,328 for the total costs of the works. He also states that the total grant issued for this scheme as in fact £9.08 Million.

Can you therefore please check that the figures shown are all accurate as this figure plainly is not.

Can you clarify what the ACTUAL total costs were for each case.

In Annex B (of response to EIR 202400421303) , ‘the total cost of the works to the buildings under the scheme’ is the total cost of the project as reported by the public body in the application form for funding; this includes the requested grant value and total of any contribution that the public body may make. Where public bodies have incurred additional cost for works out with the scope of the original application form, and these costs have been funded by the public body’s own budget, the Scottish Government does not hold a record of this.

The Scottish Government can confirm the Crown Office and Procurator Fiscal Service figures are accurate as far as what is held in our records. Two sets of figures

are shown for both the Elgin and Edinburgh Crown Office projects as funding was applied for across four separate applications - two for Elgin and two for Edinburgh. The funding covered different phases of work within each building. The value of the projects in Annex B (of response to EIR 202400421303) included the total of the value of grant requested in addition to the contribution that the Crown Office intended to make as reported in each application form as this is the information that is held by the Scottish Government. This number may differ where a public body has contributed additional budget to cover project costs beyond what was reported at application stage which would explain the different cost reported by the Crown Office.

The actual total costs of all of the projects may differ to what was reported in Annex B (of response to EIR 202400421303) in cases where organisations have topped up project costs from their own budget beyond what has been reported at application stage. The total costs will be held by the individual public bodies.

(B). I request provision of all advice to Minister Harvie on the rules terms and conditions of the grant funding schemes. In particular I seek sight of documents covering the issues of whether the applicant should be asked to state the value of the buildings where works were proposed and the subject of an application; and whether the advice covered this and if so to provide full information of all correspondence emails notes and submissions passing between the Minister and his officials.

And the same information provided in relation to the question of whether there should be any local consultation of the public by the public body as to the schemes and in particular the value of the buildings and the costs of the works.

And whether officials advice to ministers raised either the valuation of buildings or the need for or possibility of consultation at a local level with the Minister in such advice.

Records from the period of 30 August 2021 – 25 April 2024 have been provided in Annex B to this response, as this was when Patrick Harvie MSP held the role of Minister for Zero Carbon Buildings, Active Travel and Tenants' Rights.

An exception under Regulation 11(2) of EIRS – personal information applies to some of the information provided in Annex B as this contains names/contact details of officials below Senior Civil Service level. Information to which this regulation applies has been redacted in Annex B.

In addition, some of the information included within the documentation in Annex B is out of scope of the request and has therefore been redacted. Only information which has been requested has been included in Annex B to ensure ease of accessing the information required by the requester. Information has been redacted as out of scope as it does not constitute “rules, terms and conditions of the Green Public Sector Estates Decarbonisation Scheme (GPSEDS)” and/or does not contain advice to Mr Harvie MSP, Minister for Zero Carbon Buildings, Active Travel and Tenants' Rights.

Under the terms of the exception at regulation 10(4)(a) of the EIR regulations (information not held), the Scottish Government is not required to provide information which it does not have. This exception applies to your request for advice to Mr Harvie on consideration of building valuations and the possibility of public consultations in the GPSEDS application process. Applications to GPSEDS are assessed on their individual merits against a number of considerations including but not limited to:

- Achieving an appropriate contribution to Scotland's Net Zero Targets
- Installing a Zero Direct Emission Heating System
- Achieving net zero emissions
- Reducing energy use (kWh) and costs (£) and measures to reduce peak electricity demand.

Public bodies are not required to provide a valuation for the building or demonstrate consultation at a local level. As such, no advice was provided to Mr Harvie regarding the provision of information relating to the value of the building or public consultation in regards to GPSEDS.