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Clare Adamson MSP
Convener of the Constitution, Europe,
External Affairs and Culture Committee
The Scottish Parliament
EDINBURGH
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10th June 2024

Dear Clare,

I am writing to advise you that following our correspondence in 2022 regarding the publication of the Scottish Fire and Rescue Service's (SFRS) Investigation Report into the origin and cause of the 2018 fire at the Glasgow School of Art (GSA) Mackintosh building, the Scottish Government has carefully considered the option of establishing a public inquiry.

As you know, the Scottish Government has long recognised the cultural and historical significance of the Mackintosh building, its world-renowned status and the importance of the Mack to the School of Art, the city of Glasgow and Scotland as a whole.

Unfortunately due to the extensive damage sustained at the site and physical evidence destroyed in the 2018 fire, the SFRS was unable to determine its likely origin and cause, despite testing a number of credible hypotheses against the available evidence.

Given the extensive investigations already undertaken by the SFRS into the 2014 and 2018 fires, and the action taken by the Scottish Government and its agencies in response to recommendations made in reports by the former Culture, Tourism, Europe and External Affairs Committee in March 2019, and the SFRS fire investigation report published in January 2022, the Scottish Government does not support the former Committee's recommendation to establish a public inquiry with judicial powers into the 2014 and 2018 fires at the Glasgow School of Art, examining the risks posed by fire in historic buildings nationally and the ability of custodians to manage these properties.

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The Committee should be aware that the SFRS continue to provide general fire safety information and advice (including fire prevention) and has established key connections with external partners including The Health and Safety Executive (HSE) who regulate fire safety within construction sites, Historic Environment Scotland (HES) and the National Trust for Scotland. A recent workshop for fire safety in traditional buildings organised by the Scottish Government also supported the delivery of information around compliance with legal duties and managing risk, which was supported by SFRS, HES, The British Automatic Fire Sprinkler Association (BAFSA) and a number of other speakers.

Since the publication of the SFRS fire investigation report, HES has been carrying out a review of its guidance for use during the conversion of historic properties. The work of an expert group being established to follow on from the Cameron House SLWG will consider the impact of, and feed into, fire safety guidance currently being revised by HES review. Revisions to this guidance will be of benefit to projects such as the Mackintosh building reinstatement.

Additionally following the publication of the 2022 SFRS report, HES prioritised the publication of the document *Managing Change in the Historic Environment: Fire and Historic Buildings guidance* (now published). This superseded the information included in the *Fire Safety Inform Guide*. A further *Short Guide on Fire Safety* is currently under technical review and is due to be published later this year. The installation of fire suppression systems to protect highly significant and vulnerable historic fabric has also been introduced as a possible eligible cost for repair grants as part of HES's refreshed grant programme.

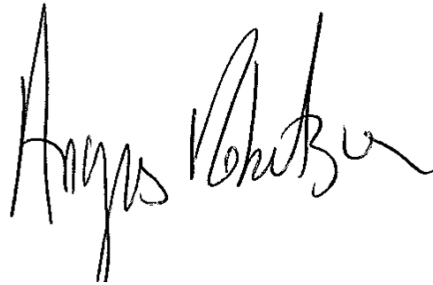
Historic buildings that are relevant premises under the Fire (Scotland) Act 2005 should already have fire risk assessments in place and an action plan to mitigate identified risks. Furthermore, in July 2022, the Health and Safety Executive (HSE) published the third edition of 'Fire Safety in Construction' (HSG 168). This HSE guidance explains how everyone involved in construction projects can comply with their legal duties relating to fire risks. The guidance is aimed at all those who procure, design, develop and manage construction sites, including clients and designers. The main changes to this guidance relate to elimination, and or, reduction of fire risks at the pre-construction stage as required by the Construction (Design and Management) Regulations 2015.

As I advised the Committee in my correspondence of 15 March 2022, the Scottish Government has since considered the feasibility of a review of fire safety in Category A listed buildings. The vast majority of such properties are in private ownership, such as the Mackintosh building, and neither HES nor the Scottish Government have the necessary frameworks or regulations currently in place to implement such a comprehensive review. It is my view that the resources required, not just financially but in terms of expertise and personnel, would be extensive. Given the current financial landscape, it is difficult to identify a way that this could be funded, or justified, given the protections already given to historic buildings in fire safety and construction legislation, and the progress already made since the 2018 fire.

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Please be assured that I will continue to update the Committee of further developments to support the custodians of historic properties in mitigating fire safety risks.

Yours sincerely,

A handwritten signature in black ink that reads "Angus Robertson". The signature is written in a cursive style with a large initial 'A'.

Angus Robertson

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