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Scottish Natural Heritage
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Our ref: JM/25040302

April 2003

**RELOCATION OF SNH FUNCTIONS FROM EDINBURGH TO INVERNESS
ACCOUNTABLE OFFICER REQUEST FOR DIRECTION**

Thank you for your letter of 7 April 2003 in which you seek a Direction from the Board to implement Ministers' decision to relocate SNH's Edinburgh based posts to Inverness.

As you know, the Board discussed your letter when it met yesterday. We understand and accept the reasons for your request. However, we are not prepared at this time to issue a Direction to you to action the move to Inverness.

The Board remain of the view that they cannot proceed to implement any relocation to Inverness until such time as Ministers have provided a clearer explanation of the basis for their decision. This is particularly so in light of public statements made by Ministers, and in particular the First Minister, since the decision was announced and of which you are aware. As you know, we have also sought, and received, legal advice on this issue and the Board's decision is consistent with that advice.

It is deeply regrettable that the timing of Ministers' decision, immediately prior to the election campaign, has prevented us from discussing and resolving these issues. In these circumstances, the Board agreed that it cannot issue a Direction to you unless and until the outstanding issues are resolved. I am writing to the Department to seek an urgent meeting with the appropriate Minister(s) as soon as possible after the new Cabinet is established.

We recognise, however, that Ministers' decision has created significant management and organisational difficulties, and that it is essential that you take some action in response to these. The Board has, therefore, agreed to authorise you to undertake such management activity as is necessary in the short term to counter the instability caused to the organisation by the announcement on relocation at a time when answers to crucial questions have not been forthcoming. We fully accept that this may include certain changes to management and staff responsibilities.

The Board also agreed that staff should prepare a paper covering a range of less damaging relocation options for the Board to consider at our meeting on 20 May. From these options the Board will decide which, if any, they might wish to propose to the new Minister.

The Board will consider your request for a Direction again, following the meeting with Ministers.

I am copying this letter to the Departmental Accountable Officer and to the Auditor General for Scotland.

John Markland