

Rùnaire a' Chaibineit airson Ceartas agus Seann-ghaisgich
Cabinet Secretary for Justice and Veterans
Keith Brown MSP



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Richard Leonard
Convener
Public Audit Committee
Room T3.60
The Scottish Parliament
Edinburgh
EH99 1SP

21 December 2022

Dear Convener

New vessels for the Clyde and Hebrides: Arrangements to deliver vessels 801 and 802

I refer to your further letter of 5 December where you asked me to revisit answers previously provided to the committee in relation to the Inquiry into the above. I am happy to do so.

I want to reiterate that the committee has had my full engagement in relation to its work on this inquiry, as well as taking evidence directly from the First Minister and senior Scottish Government and Transport Scotland officials. The Scottish Government has also put substantial amounts of information into the public domain on a proactive basis and much of this material has been available for a number of years.

Whilst I am content that my previous responses furnished you with the information you requested, I note the further, specific question regarding “details of the information that was shared with me by the former Minister for Transport and the Islands”.

In order to be as exhaustive and definitive as possible in dealing with this request, I asked officials to consider if there was anything further which might help answer this question. I am aware that, while you will already have the substantive submission of 20 August 2015, seeking my approval in respect of preferred bidder status, the covering email (attached) relating to the submission may also be of interest to the committee. This covering email, while not containing any substantive detail on the issue, shows clearly, nevertheless, that Mr Mackay was “aware of (and supportive of) this outcome.” For completeness, and as the Committee is aware, the issue around the Builders’ Refund Guarantee was not raised with Scottish Ministers until after the date of this submission. This is clear from the already published and shared material.

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I have also included my response to the submission of 20 August (also at **ANNEX A**) which as you will know by now, is the usual way Ministers indicate their view on advice received and response to recommendations. I understand the Committee has asked for a copy of this in its recent letter to the First Minister and am happy to provide this now, to accompany the SCANCE note referred to which the committee has already received.

For the avoidance of doubt and to provide the further clarity I believe the Committee seeks, there is no further information that I can provide because I am not aware of any further information.

I trust the information provided is helpful.



KEITH BROWN

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ANNEX A – COVERING EMAIL AND CAB SEC RESPONSE TO PREFERRED BIDDER SUBMISSION

From: REDACTED **On Behalf Of** Cabinet Secretary for Infrastructure, Investment and Cities

Sent: 21 August 2015 09:14

To: REDACTED Cabinet Secretary for Infrastructure, Investment and Cities
<CSIIC@scotland.gsi.gov.uk>

Cc: Minister for Transport and Islands <transportminister@scotland.gsi.gov.uk>; DG Enterprise, Environment & Innovation <DGEEI@scotland.gsi.gov.uk>; PS/Transport Scotland <chiefexecutive@transportscotland.gsi.gov.uk>; Middleton DF (David) <David.Middleton@transportscotland.gsi.gov.uk>; Transport Scotland Directors <DL_ECON_P_TSD@scotland.gsi.gov.uk>; REDACTED ; Press Transport Scotland <Press_Transport_Scotland@scotland.gsi.gov.uk>; REDACTED Anderson A (Alexander) <Alexander.Anderson@scotland.gsi.gov.uk>; Cabinet Secretariat inbox <CabinetSecretariat3@scotland.gsi.gov.uk>

Subject: OFFICIAL SENSITIVE - Vessel replacement - 2 new 100m ferries - submission - 20 August 2015 Approval to award contract - 21 August 2015

[REDACTED]

Many thanks for your submission which Mr Brown has noted. Cab Sec is content to approve the award of the two shipbuilding contracts by CMAL to Ferguson Marine Engineering Ltd.

Mr Brown has also asked for a SCANCE note on this for Monday's Cabinet meeting in Oban.

Thanks

[REDACTED]

I Deputy Private Secretary | Office of Keith Brown MSP, Cabinet Secretary for Infrastructure, Investment and Cities | Scottish Government, St Andrew's House, Regent Road, Edinburgh, EH1 3DG [REDACTED]
CSIIC@scotland.gsi.gov.uk Click [here](#) to find out more about supporting Ministers.

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From: REDACTED

Sent: 20 August 2015 18:38

To: Cabinet Secretary for Infrastructure, Investment and Cities

Cc: Minister for Transport and Islands; DG Enterprise, Environment & Innovation; PS/Transport Scotland; Middleton DF (David); Transport Scotland Directors; REDACTED Press Transport Scotland; REDACTED; Anderson A (Alexander)

Subject: OFFICIAL SENSITIVE - Vessel replacement - 2 new 100m ferries - submission - 20 August 2015

[REDACTED]

In Mr Mackay's absence, we would be grateful for Mr Brown's urgent consideration of our recommendation for the award by CMAL of shipbuilding contracts for 2 new ferries. We were able to give Mr Mackay a verbal briefing before he went on leave so he is aware of (and supportive of) this outcome.

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Please could copy recipients note that this remains a “live” procurement until 31 August and therefore the identity of the winning bidder is commercially sensitive, though we are aware of media speculation. For that reason I would be grateful if this submission is not circulated any further than is strictly necessary.

I am on leave now until 31 August but [REDACTED] is available Monday to Wednesday next week. However, as CMAL are responsible for this procurement, Mr Brown may find it equally if not more helpful to speak directly to their Chief Exec Tom Docherty and we would be happy to arrange that.

Thanks
REDACTED

<< File: Vessel replacement - 2 new 100m ferries - submission - 20 August 2015#2.docx >>

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