

PROPERTY SUB COMMITTEE – TERMS OF REFERENCE

1. Purpose

The Property Sub Committee will ensure that the Capital Investment Group (CIG), through its delivery of the Board's Capital Investment Strategy ensures that key activities relating to property are progressed and managed appropriately within the relevant guidance and legislative framework.

2. Remit

- 2.1 To ensure that the CIG develops an Estates Strategy, and that procedures are in place to ensure that it is maintained, reviewed and remains deliverable.
- 2.2 To ensure that all aspects of major Property and Land issues are dealt with in accordance with due process, and to approve property sales with a value of greater than £500,000.
- 2.3 To review all proposed property acquisitions, disposals and leases in accordance with the NHS Property Transactions Handbook, ensuring that due process has been followed to permit Board approval to proceed.
- 2.4 To review the Terms of Reference and the appointment of all consultants and advisors for Estates and Property matters for the development of Business Cases over £5m.
- 2.5 To review periodically the following Policies – NHS Lanarkshire's Construction Procurement Policy and NHS Lanarkshire's Capital Procurement and Environmental Policy.
- 2.6 To review compliance with relevant legislation and guidance, including the Property Transactions Handbook and the Scottish Capital Investment Manual (SCIM).
- 2.7 To ensure that there are appropriate arrangements for recording NHS Board property within an Asset Register, and that the Sub Committee maintains an overview of assets within NHS Lanarkshire Estate, including Land, Buildings and Major Equipment.

- 2.8 To receive reports on relevant legislation and best practice, including the Scottish Capital Investment Manual. (SCIM), Chief Executive Letters, Audit Reports and other Scottish Government Letters.

3. Composition

- 3.1 The membership of the Property Sub Committee will be the NHS Board Chair and the 5 Non Executive Directors of the NHS Board who serve as members of the Board's Audit Committee.
- 3.2 Executive input to the Committee will routinely be provided through the attendance of the Chief Executive, the Director of Finance and the Director for Strategic Implementation, Planning and Performance.

4. Appointment of Chairperson

The Chairperson of the Property Sub Committee shall be the NHS Board Chair. In the absence of the NHS Board Chair, the Sub Committee shall appoint a Chair for the meeting from amongst the Non Executive Directors present.

5. Attendance

- 5.1 The Committee can request the attendance of any Officer of NHS Lanarkshire at its meetings, to assist in the discharge of its remit.
- 5.2 All NHS Board Members shall have the right of attendance at meetings of the Sub Committee, and shall have access to papers, except where the Sub Committee resolves otherwise.
- 5.3 The Sub Committee shall have the right to invite, as required, external experts to attend meetings. In particular, it is expected that the Board's Property Advisor shall attend at least one meeting of the Sub Committee during the year.

6. Frequency of meetings

- 6.1 Meetings of the Property Sub Committee shall be timetabled annually to coincide with points in the year crucial to the progress of the Board's Estates Strategy, and before important decisions are made. The schedule of meeting dates shall also identify the key items of business to be considered at each meeting.

- 6.2 The Property Sub Committee shall meet as necessary to fulfil its remit. Typically, meetings of the Sub Committee will be aligned with the dates of meetings of the NHS Board.

7. Agenda and papers

The Agenda and supporting papers for Sub Committee meetings will be sent out at least 5 working days in advance of the meetings. All papers will clearly identify the author, the purpose for which the papers are presented, and provide a clear indication of the actions which the Property Sub Committee is asked to consider.

8. Quorum

No business shall be transacted unless 3 Non Executive Directors and one Executive Director are present.

9. Minutes

- 9.1 Formal Minutes of proceedings of the Property Sub Committee will be maintained, and submitted for approval at the next meeting of the Property Sub Committee.
- 9.2 Minutes of Property Sub Committee meetings will be presented in draft form to the next meeting of the NHS Board, to ensure that NHS Board Members are aware of issues considered and decisions taken. Prior to this, the draft Minutes will be cleared by the Chair of the Property Sub Committee, and the nominated Lead Executive Director. Given the potential for Minutes to contain 'Commercial - In Confidence' information, they may require to be considered by the NHS Board in Private Session.

10. Other

- 10.1 If considered necessary, meetings of the Property Sub Committee shall be convened and attended exclusively by members of the Committee and designated Executive Directors.
- 10.2 The Property Sub Committee has a duty to review its own performance, effectiveness, including running costs, and Terms of Reference on an annual basis.
- 10.3 The Property Sub Committee is authorised to obtain professional advice it considers necessary.
- 10.4 The Chairperson shall submit an Annual Report of the work of the Property Sub Committee to the NHS Board in May each year.

NJA/OD
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