

The Cole Report blames poor workmanship for defects in Edinburgh schools



The Cole Report was published yesterday. It is a report commissioned by the Chief Executive of The City of Edinburgh Council following school closures last year brought about by discovery of serious building defects.

A wall collapsed at Oxfangs Primary School last year after a storm. Nine tonnes of the outer skin of a relatively new building tumbled down into the school playground when the school was not yet open. Subsequently it was discovered that the header ties on the wall had not been fixed properly.

Following a substantial period of closure of 17 school buildings across the city and decanting 8,000 pupils to other schools, the affected schools were all reopened in August 2016.

All 17 schools were either built or substantially refurbished using the PPP1 financial model (Public Private Partnership).

When the pupils were back at school, the inquiry began into the rationale for the council entering into such contracts at the time these schools were built, and also to establish what had happened to cause the wall to collapse.

The inquiry chair was asked to offer recommendations and lessons to be learned.

Professor Cole said in his report : “The fact that no injury or fatality occurred in the Oxfangs situation was a matter of timing and luck.”

The report found that the council was following a model used widely across the UK at the time and that the council had a ‘sound rationale’ for their decision to adopt it. They simply did not have the capital to build new schools and this was a way round it.

In answer the report states : “It is the view of this Inquiry that the financing method per se did not have such a direct relationship with the presence of defective aspects of the construction in the Edinburgh schools. There is no reason why properly managed privately financed public sector buildings, using best practice approaches, should not be capable of delivering buildings constructed to a very high standard.

“The Inquiry is concerned however that some elements of best practice associated with more traditional models of procurement failed to be consistently incorporated into the implementation of PPP projects.”

The report says elsewhere that : “It is the view of the Inquiry that while the financing method was not responsible for the defective

construction, aspects of the way in which the PPP methodology was implemented on these projects did increase the risk of poor quality design and construction. In this regard, however, the approach adopted on the Edinburgh scheme was quite typical of that adopted generally at the time.”

Here is the report from John Cole CBE following the independent inquiry into Edinburgh school buildings
pic.twitter.com/osrNExnU22

– Edinburgh Reporter (@EdinReporter) [February 9, 2017](#)

The report by architect and construction expert, Professor John Cole CBE, which was presented to The City of Edinburgh Council yesterday afternoon was more damning of the lack of supervision in building contracts of this type, both in the written terms of the contracts and in reality. The professor commented during the Q & A session with councillors after his presentation that clerks of works are a useful inclusion in all building schemes.

He said : “I firmly believe that clients need to have in place appropriate independent scrutiny. A contractor telling you that he has done everything right is not just enough. I think the report has wider ramifications than for Edinburgh Council.

“The primary cause of the wall collapse was poor quality construction by a bricklayer and failure by that bricklayer’s boss to see what he was doing, and failure by the contractor employing that subcontractor to see what they were doing.

“The reasons for the defects? There were omissions.

“There is a tendency when bricklayers are anxious to get as much money that day as possible, that they will lay the bricks, but not necessarily do all the fiddly bits that are going to reduce the number of bricks they lay.

“So unless they are properly supervised, and remembering that these bricklayers would go on to a different job in a few days time there is not the same loyalty to a particular building.”

But there are other problems in the buildings which are still the subject of some investigation. It appears that the buildings may not have been fireproofed properly. One councillor we spoke to after yesterday’s debate suggested that has a far wider implication for the council in regard to any buildings provided in the recent past, and indeed for other councils across the UK.

CLERKS OF WORKS

Specifically Professor Cole’s report recommends independent scrutiny and appointment of clerks of works : “The Inquiry was advised by two senior Clerks of Works, permanently employed by a large public sector organisation in Scotland, that the quality of bricklaying was still today a constant problem for them, requiring their on-going inspection. They both were of the view that the common means of remunerating bricklayers, as described above (payment is on the basis of the number of bricks laid or square metres of wall completed in a day), was one of the contributory factors in bringing about this situation.”

In addition the report commented on the lack of ‘shared understanding’ by those commissioning and those providing independent certification in the PPP1 contracts, and has suggested that the terms of these require to be reviewed.

Professor Cole further proposes that the Independent Certifier takes on the provision of Clerks of Works services.



FUNDING MODEL

In answer to a question from Deputy council leader Frank Ross, and reflecting the terms of the report itself, he confirmed that the funding model (the PPP1 or Public Private Partnership model) was not in itself to blame for the defects in buildings. He said : “The way in which the construction industry is managed now as a reflection within the PPP system I feel has led to a point where there are less assurances for clients as to the quality of the project produced.

“However as to the financing issue, you might be using the same contractors and sub-contractors, so you would be in exactly the same position unless the funding for the project was inadequate.

“Generally contractors are well-paid within PPP projects rather than other more competitive processes and open tendering in a traditionally funded scheme. There was certainly a desire to build these projects quickly because of the potential loss of revenue if the building did not open on time. Building quickly can often lead to shortcuts.”

You can watch the Professor’s presentation to the council and the Q & A session afterwards on the council webcast [here](#).

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The PPP1 process was a funding model promoted by both Westminster and The Scottish Executive at the time. The Edinburgh Schools Partnership (ESP) was set up as a consortium of builders and financiers, to build and then maintain the schools in return for an annual fee paid by the council for 30 years. While ESP as an entity continues to exist the companies

who actually delivered the building have changed by sales and amalgamations over the intervening period.

It is to ESP that the council has turned for recompense of any expenses incurred as a result of the schools closure.

The defects came to light after the outer skin of a gable wall at Oxfangs Primary School fell to the ground in a storm early last year.

The report runs to 270 pages. It is reproduced for you below:



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