

On 15/04/2016 11:23, Jason Rust wrote:

Dear All

I have started receiving some answers this morning to questions asked/points raised at the start of the week. Other issues remain outstanding, but the responses from the Chief Executive are below.

Regards  
Jason

Councillor J G Rust  
Colinton/Fairmilehead Ward

### **Identify and understand the new reasons for closure**

This is a new issue relating to wall head ties that is separate from the issue of wall ties previously identified. The new issue identified [on Friday afternoon](#), led to Edinburgh Schools Partnership withdrawing their assurance, previously given on Wednesday of last week, that the schools were safe. We therefore had no option but to close the schools.

### **Contractual arrangement between the Council and the Construction Company ie roles and Responsibilities**

Edinburgh Schools Partnership built, owns, manages and maintains the schools on behalf of the Council and is therefore responsible for ensuring their safety.

**CEC would have been responsible for construction inspections leading to completion**

**certificates which apparently approved defective work. Is this being reviewed? By who?**

**Have steps been taken to preserve evidence?**

The structural designs of the PPP1 school were self-certified by Edinburgh Schools Partnership's agent under the relevant building regulations in place at the time.

Once construction was complete, their agent also self-certified to the Council, as they were entitled to do, that the buildings complied with the relevant Building Standards. In order to do this, they would have to have been satisfied that each school was complete, in accordance with Building Standards, and that the Building Warrant conditions had been met.

The Council did carry out reasonable inspections to ensure that the buildings appeared to satisfy the terms of the Building Warrant. However, the regulatory system acknowledges that local authorities cannot reasonably monitor each and every aspect of all construction work being carried out. As such, reliance was placed upon suitably qualified individuals and the council would not have been responsible for the quality of work done or for supervising builders.”

### **Why were these defects not identified in the previous two rounds of inspections in January 2016?**

That is primarily a question I am raising with Edinburgh Schools Partnership, however my understanding is that the two rounds of inspections, one visual, and one more intrusive, were primarily focused on the issue of wall ties, which was identified as being the primary cause of the wall collapse at Oxfangs. Wall head ties are often hidden from view and not immediately visible. As such, the issue came to light during the remedial work on the wall ties.

### **Who carried out these inspections?**

Structural Engineers on behalf of ESP

### **Timescales involved for re-opening affected premises (I appreciate the public to be made aware Tuesday 12<sup>th</sup> April)**

Drummond High School was the first school to be re-opened, with some areas fenced off, to accommodate all pupils (S1-S6) from Wednesday onwards (14 April). In addition, I am pressing for a timeframe for other properties. Verbal feedback from the survey work so far suggests evidence of concerns across all properties regarding wall head ties, however it is not yet clear what the impact will be and it may be that some issues can be quickly remediated while others could take longer.

The current situation is that we anticipate all pupils being accommodated by [Tuesday 19 April](#) subject to some final checks.

**What are the estimated associated costs of the closures and any remedial work and to whom will they fall?**

ESP will be responsible for these costs.

**What contingency plans are in place considering an internal Audit Report written in 2011 highlighted the absence of a Council Premises Plan?**

Council officers are working hard to ensure that contingency plans are in place for all pupils for [Tuesday 19<sup>th</sup> April](#). To date, we have ensured that all senior pupils and exam candidates are already back in schools, and arrangements for all primary school and special school pupils have been confirmed today, a total of 5,900.

**Slowness of information to Cllr – instances where press appear to have information ahead of Elected Members (STV press release at lunchtime 11/4/16)**

We are endeavouring to keep elected members fully updated of the facts as they are confirmed, and ahead of briefing the media, and will continue to do so over the next few days, through regular members updates.

**Are there plans for**

a) **This defects and closures to be scrutinised independently and**

There will be a report to May Corporate Policy and Strategy Committee on next steps

**b) A public meeting to be held to allow CEC actions to be informed by parents views?**

No current plans for this, but we are responding to numerous parent questions, comments and feedback which have come to us via social media, direct email, telephone and website queries. We are liaising closely with the parent councils of schools and will continue to do so.

**Details of why the works cannot be undertaken with the school operational?**

Where possible we have asked ESP to consider this, assuming it is safe to do so and not overly disruptive to teaching.

**Confirmation that the affected schools will now not close for the Scottish Parliament elections and that all further "in service" days have been cancelled?**

None of the affected schools was planned for use as a polling place. There were plans for Goodtrees Centre to be used as a polling place however an alternative venue has been confirmed. I have asked Alistair Gaw to consider the question of "in-service days"

**Is CEC represented on the ESP Board or management?**

No, ESP is an independent company contracted by the Council.

Sent from my iPad

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