

THE CONSTRUCTION OF THE NEW SCOTTISH PARLIAMENT IN EDINBURGH: AN OPINION POLL OF THE SCOTTISH PUBLIC AND CONSTRUCTION INDUSTRY PROFESSIONALS

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The construction of the new Scottish Parliament building in Edinburgh can be seen to be the most contentious building project of its generation. In January 2000, Sir David Steel, Presiding Officer of the Scottish Parliament, stated, “this building is the most important to be built in Scotland for some 300 years”. However, significant design changes have led to a substantial cost escalation and the completion date has been revised frequently. More recently, a key subcontractor went into receivership with the Holyrood client expected to take a £3.9m loss. Thus, on one view the project can be seen to be a physical manifestation of democracy and on another the hungry media have tagged it as yet another large prestigious public project being over-budget and over-time. This paper examines the views expressed by a selection of 27 construction professionals and 114 members of the Scottish public who contributed to an opinion poll questionnaire conducted in 2002. The results indicate a general dissatisfaction with the management of the project.

Keywords: communication, cost escalation, price, public opinion, scottish parliament

INTRODUCTION

The selection panel chose the Holyrood design team in July 1998 following a competition to select an architect and possible construction management companies were invited to make submissions, attend interviews and, on being shortlisted, to submit tenders. Enric Miralles led a Spanish architectural practice appointed in partnership with Edinburgh based architectural practice RMJM. Also included in the design team is Ove Arup (structural engineers) and Davis Langdon & Everest (DLE) as the quantity surveyor and cost consultant with Bovis Lend Lease (BLL) appointed by the client to provide construction management services.

A Government White Paper *Scotland's Parliament* (1997) stated, “the building the Scottish Parliament occupies must be of such quality, durability and civic importance as to reflect the Parliament’s status and operational needs” and that “it will be an important symbol for Scotland and it should pay tribute to the country’s past achievements and signal its future aspirations”. The above statements placed a heavy burden of expectation on the project prior to a brick being laid. Between October 1998 and March 1999, the Holyrood design team refined and developed their sketch designs. The final scheme design presentation was made to the selection panel at the end of March 1999.

Enric Miralles was an internationally renowned architect whom on the Holyrood project partnered RMJM. Miralles had a staunch ally in, the then Secretary of State for Scotland, the late Rt. Hon. Donald Dewar (MP, MSP), who in October 1998 stated that, “we have selected an architect of imagination and flair”(Scottish Parliament Booklet 2001). Donald Dewar’s views echoed that of Miralles in that the new parliament was not to be a traditional, but a sympathetic building that would sit happily at the bottom of the Royal Mile whilst being very much of the 21st Century. It could be said that one of the great ironies of the deaths of both Enric Miralles (July 2000) and Donald Dewar (October 2000) was that the project lost its two most vociferous defenders.

Until, 1st June 1999 “the client” was the Secretary of State for Scotland, who owned the project and the investment decisions. Client responsibility passed on 1st June 1999 to the Scottish Parliamentary Corporate Body (SPCB). The SPCB has legal responsibility for the Parliament project and manage and let all contracts for the Holyrood project on behalf of the Scottish Parliament. The Holyrood Progress Group (HPG) has assisted the SPCB in their function of clients since June 2000. The HPG could be described as oversight committees whom watch over the completion of the Holyrood complex without having legal responsibility for it.

SPENCELY AND BLACK REPORTS

The Holyrood project has been the subject of various reports including the Spencely report of March 2000 and the Black report of September 2000. The Scottish Parliament Corporate Body (SPCB) also reports to MSPs regularly. Most recently the inquiry set up by the Scottish Secretary in June 2003, led by former Lord Advocate Lord Fraser of Carmyllie, has interesting parallels with the project itself. The cost and delivery date of this report are unknown. The SPCB appointed John Spencely in February with a remit to assist the SPCB’s review of the Scottish Parliament Holyrood project review. The terms of reference required Spencely to examine among other things the revision of the current estimation of time to delivery and occupation and cost and to review the reduced specification effect on delivery and cost. Robert Black, Auditor General for Scotland, was also commissioned to report on the project in 2000. The brief of the Black report, “The new Scottish Parliament building”, was to examine the management of the Holyrood project. Black was to identify and explain the reasons for timetable delays and large increases in the costs estimated and to analyse if the management process was conducive to achieving economy, efficiency and effectiveness (Black 2000).

COST AND TIMESCALE OF PROJECT

In a July 1997 White Paper it was estimated the Holyrood project would cost between £10m and £40m and this figure was revised in 1998 to £50m. This figure rose to £109m in 1999 and was capped at £195m in April 2000. In June 2001 the MSPs voted to follow the motion of the SPCB to remove a price ceiling and to complete the project without compromising quality. This can be said to be effectively issuing a blank cheque to cover the “£Xmillion cost” of the project upon completion. The SPCB motion called for the Holyrood project to be completed without compromising quality and to not set a price ceiling. In March 2000 the Spencely report estimated a cost of £230m with some commentators viewing that a figure of £300-350m could be nearer the mark. By March 2002 the national press highlighted, that the latest Holyrood project total cost was now between £270-280m. By October 2002

opposition MSPs called for a parliamentary debate due to a SPCB report estimating escalating construction costs.

The construction cost rise has been due to several factors including accommodating increased staffing and the provision of a formal entrance plus an approval for a more complex design. Furthermore, following the 2001 September 11th terrorist attack in the USA, an additional £30m was required to blast proof the building against bomb attack. Other factors that are thought to have contributed to these increasing costs have been the delay in awarding the specialist glazing contract and an increase of several million pounds on estimates for internal fittings.

The forecast for completion as of January 1998 was July 2001, as stated by Black. In February 2000 BLL the main contractor, estimated that the then current estimate of time to delivery and occupation was December 2002 for delivery of the building and the occupation date being August 2003. However by early February 2000, as noted by Black, the SPCB were advised by the project management that a solution had been found regarding finding extra space in the building but there remained uncertainty about programme and that the programme for the project could not be forecast accurately. Black found that much of the extended time-scale was attributable to difficulties in an approved design being achieved and that some delay was accountable to the architects encountering difficulties in complying with a demanding brief compounded by the client's unforeseen design changes (Black 2000).

QUEENSBERRY HOUSE

Queensberry House, a Grade-A listed historic building was in a poor state of disrepair and was already part of Holyrood site location prior to the commencement of the parliament project. On December 1999 exploratory work commenced on Queensberry House and the original planned completion date was August 2002. Early problems put paid to the proposed time-scale with poor weather conditions and the siting of old wells and mines holding back construction work. The structural condition of Queensberry House was initially considered to be in good condition although when the design team carried out a more extensive investigation it was found to require significant restoration work (Spencely 2000). Indeed, the HPG noted that Queensberry House has involved the use of "considerable resource" to bring it up to the requirements of the parliament project (Holyrood Progress Group 2001). The extremely poor structural condition of the building required much more work than originally anticipated resulting in variations to contracts, which meant changes to cost and programme. In addition, the extra blast proofing required for the building was not part of the projects original budget (The Herald 2002).

FLOUR CITY ARCHITECTURAL METAL (UK)

Flour City Architectural Metal (UK) Ltd is a wholly owned subsidiary of Flour City International. Flour City was appointed in January 2001 as a major works package contractor for the external supply and installation of cladding works on the MSP block of the Holyrood project building. The construction manager BLL recommended Flour City following a competitive tendering exercise. However, the Flour City contract was terminated in October 2001 following concerns about their standard of performance and alternative arrangements for delivery of the contract were put in place. Some commentators view that BLL should be sued for recommending that Flour City be awarded the cladding contract. However, this will be dependent on the

contractual situation and the relevant case law. It would be a far from straightforward exercise but it could be argued that BLL did not show reasonable skill and care in the employment of Flour City and were negligent in their duties. A detailed investigation of the contractual pre-qualifications checks would be required and the construction manager could possibly defend their position by showing that the appropriate checks were undertaken and that it could not be foreseen that Flour City would hit financial problems. On June 2002 the SPCB stated that Audit Scotland were investigating the handling of the £7m contract appointment and subsequent demise of Flour City. Robert Black's report (letter) of September 2002 stated that the contract was "not improperly awarded" and that "sound payment mechanisms" were in place and concluded that payments made by the parliament to Flour City were legitimate. However he highlighted deficiencies in the process concluding that the "selection process was flawed" and that there was "insufficient information" sought about Flour City's financial status or track record in undertaking such work. Black's comments regarding the selection process are important given the fiasco that developed on another UK Government Parliament project (Portcullis House). In 1999 US curtain walling contractor Harmon successfully sued the House of Commons for picking a more expensive UK rival. They were awarded legal costs, tender costs and profit it would have made on the job (Building 1999).

THE PROCUREMENT METHOD

In July 1998 the parliament project management selected the Construction Management (CM) method of procurement for the construction of the Holyrood building. This was consistent with the advice given by the projects design team and cost consultants. The CM procurement route was selected because the detailed design of all parts of the project would be a lengthy process and site possession would be phased, allowing individual packages to be tendered and let on completion of the design work for each element of the project. In January 1999 BLL were appointed to provide CM services for the Holyrood project including the management of all trade packages on behalf of the Scottish Parliament. Spencely notes that the contractual agreement was entered into on a £50m project basis. Black viewed that the appointment procedures were not completely systematic and no-doubt this will be reinvestigated by Lord Fraser in his inquiry.

PERFORMANCE

The performance of the construction manager BLL on the Holyrood project cannot be fully assessed until completion and occupation of the parliament building is achieved. It could be said that in general a disadvantage of the CM procurement route is that the total risk is a hazard that lies with the client. However, as discussed above, BLL's employment of Flour City as the main contractors for the external cladding works package has recently been widely criticized and is likely, at a later date, to be subject to a detailed investigation. Also, the projects ongoing problems regarding cost and time have been linked, amongst other factors, to the role of the construction manager. However, it should be recollected that BLL were employed on the basis of the original £50m project cost. Black notes that the Scottish Office did not, at the outset of the project, prepare a comprehensive procurement strategy nor a reasoned analysis to support adopting the CM path and that although the CM route offers advantages of control, the risk lies with the client. Furthermore, the project management team failed to identify and quantify a separate allowance for major risks that could potentially

affect the project (Black 2000). Black recommended that project management should have instructed the construction manager and cost consultant to prepare a risk analysis and that project management together with the design team and construction manager should have agreed a cost plan to take account of the project risks and uncertainty.

METHOD

Thirty-six mail survey questionnaires were issued and were distributed to individuals with involvement in the construction field. The questionnaire targeted a wide cross-section of construction industry professionals, with varying ranges of experience, being: a Court of Session judge and three Sheriffs, all having considerable experience of the nature of the construction industry; two MSPs; six construction law academics; seven solicitors specializing in construction law; and sixteen construction industry professionals, taken from, expert witnesses, managing directors, consultants, commercial managers, project managers, architects and project surveyors. Twenty-seven completed questionnaires have been used for analysis. The public opinion poll in this research targeted a much wider ranging cross-section of individuals from various backgrounds and occupations. There were one hundred and fourteen opinion polls conducted with a 100% response rate. The poll targeted a wide cross-selection of individuals which included: retired persons; housewives; students; unemployed; doctors; paramedics; nurses; teachers; musicians; journalists; solicitors; social workers; engineers; tradesmen/women; labourers; I.T. engineers; managers; publicans; postmen/women; florists; graphic designers; salespeople; secretaries; personal assistants; taxi-drivers; and lab-workers. The questionnaire and results are shown in Table 1. The questions were developed as propositions and dealt with several aspects of the project- question one (project location and cost); question two (cost and national pride); question three (nature of construction industry); question four (design issues); question five (accountability and management); question six (fairness in consultants fees) and question seven (overall satisfaction with the project).

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RESULTS

The siting of the new Parliament building continues to be one of the most contentious issues concerning this project. Several alternative solutions were aired before the Holyrood site was chosen. Critics argue that any one of the alternatives would have resulted in a less costly building. The replies to question one are indicative of this argument, albeit with hindsight. In particular 93% of the public polled consider the selection of the Holyrood site to be a bad decision. The construction professionals are more wary with 78% in agreement. This may be due to their professional knowledge suggesting that design and cost problems can arise in any project, no matter where sited. Despite these findings, the location of the building at the foot of the Royal Mile, overlooked by the 200m rocky Salisbury crags is dramatic. Indeed, the location has been described as the most jaw dropping of any European city (Building 2003a).

Question two is of particular significance for a nation that is often stereotyped as “canny” with their finances. Again the public poll leads the way with disapproval on the cost issue with over 77% of the replies finding issue. The construction professionals are less disapproving although again the results show unhappiness with the cost escalation. However it can be seen that 30% of the professionals and 21% of the public find agreement with the proposition. It is unclear however as to why they may consider the cost issue to be of less significance. Two camps appear to have developed after the initial and subsequent media reporting of cost escalations. Critics argue for radical cost cutting via value engineering and talk of not throwing “good money after bad” whilst the opposing camp talk of getting the job finished.

Question three concerns the nature of the construction industry and its legacy of late delivery and costly public projects. The Scottish Parliament project is in “bad” company here and can sit alongside projects such as the British Library project in London and a multitude of other projects reported on by the National Audit Office (NAO). Sixty-seven per cent of the professionals considered the delay in completion unacceptable with 55% of the public also disagreeing with the proposition. However, almost one-third of the public and professional polled considered that the delay was acceptable given the nature of the industry. This is perhaps worrying given the raft of post- Egan initiatives aimed at improving the performance and image of the industry.

The debate over the retention of Queensbury House is considered in question four. It is as much a “hot-potato” as the project itself and it constitutes a micro-project. Given that it has drained significant additional sums of money from the taxpayers’ purse, it is perhaps no surprise that 58% of the public and 48% of the professionals disagree with its inclusion in the project. Indeed as Steel (2002) notes, maintaining the country's built heritage usually comes at a cost. However around 30% of both groups can be found to support its costly renovation. This may be because of this buildings architectural and historical significance and the need to firmly retain some aspects of the sites original character, despite its cost.

Table 1: Questionnaire Results

Question	Category	1	2
		(%)	(%)
Question 1. The Scottish Parliaments new home could have been located and established at a previously existing building or at an alternative site with a less complex and thus less expensive design:	Strongly Agree	4 (15)	61(54)
	Agree	17(63)	45(39)
	Don't Know	0 (0)	2 (2)
	No Comment	2 (7)	-
	Disagree	3 (11)	1 (1)
	S/ Disagree	1 (4)	5(4)
Question 2. The original estimate by the Scottish Office in 1997 for the cost of a new Scottish Parliament building was £40m and now the current estimate, as of October 2002 is £309m. The final cost, whatever it may be, will be seen as necessary on a project although expensive, for the creation of a building befitting of the name as the home of the new Scottish Parliament:	Strongly Agree	3 (11)	13 (11)
	Agree	5 (19)	11(10)
	Don't Know	0 (0)	2 (2)
	No Comment	1 (4)	-
	Disagree	9 (33)	30 (26)
	S/Disagree	9 (33)	58 (51)
Question 3. The timescale for occupation and delivery of the building has moved from December2002 and August 2003 respectively to the current estimate of hand-over of April 2003. This can be said to be an acceptable consequence of the nature of the construction industry, especially with large public funded projects:	Strongly Agree	1 (4)	9 (8)
	Agree	6 (22)	23 (20)
	Don't Know	0 (0)	19 (17)
	No Comment	2 (7)	-
	Disagree	11 (41)	39 (34)
	S/ Disagree	7 (26)	24 (21)
Question 4. Queensberry House, a building that was in a poor structural condition and of little architectural merit, was part of the Holyrood site prior to its incorporation into the parliament project and will arguably be the most expensive element of the Holyrood project. However, in keeping with the late Enric Miralles design, the Scottish Parliament Corporate Body (SPCB) were correct in retaining this as part of the parliament complex:	Strongly Agree	0 (0)	11 (10)
	Agree	7 (26)	24 (21)
	Don't Know	5 (19)	13 (11)
	No Comment	2 (7)	-
	Disagree	11(41)	44 (39)
	S /Disagree	2 (7)	22 (19)
Question 5. Given the collapse of the external cladding contractor "Flour City", who were paid £854k, and the loss of a further £3.9m to the public purse, do you feel that someone, possibly the construction manager should be held responsible for awarding the tender to a company whom were in financial difficulty:	Strongly Agree	2 (7)	43 (38)
	Agree	6 (22)	47 (41)
	Don't Know	7 (26)	12 (11)
	No Comment	3 (11)	-
	Disagree	4 (15)	7 (6)
	S/Disagree	5 (19)	5 (4)
Question 6. The current estimate for the consultants' fees on the parliament project is £40m, the same figure as the initial estimate of the project cost. The fees are taken as an agreed percentage of the total approved construction costs and in light of the projects spiraling costs, at an earlier stage, these fees should have been renegotiated with an incentive to minimize costs:	Strongly Agree	7 (26)	55 (48)
	Agree	10(37)	42 (37)
	Don't Know	4 (15)	5 (4)
	No Comment	1(4)	-
	Disagree	4(15)	7 (6)
	Strongly Disagree	1(4)	5 (4)
Question 7. Given all of the above, the Scottish construction industry and general public cannot be said to be comfortable with the cost of the new Scottish Parliament Holyrood building project	Strongly Agree	11(41)	80 (70)
	Agree	12(44)	23 (20)
	Don't Know	1(4)	2 (2)
	No Comment	1(7)	-
	Disagree	2 (4)	6 (5)
	S/ Disagree	0 (0)	3 (3)

Key: 1=Construction Opinion Poll (27 no.), 2=Public Opinion Poll (114 no.)

Questionnaire Results

Question five is somewhat biased in that it suggests that accountability for the financial loss that occurred due to the demise of contractor Flour City may be attributed to BLL. Given that the public may see this as a frivolous use of public funds, particularly given that the cladding contractor undertook only provisional work, it is perhaps no surprise that 79% of the public polled agree with this statement. The professionals are less vociferous in their agreement with only 29% seeking to apportion blame. This may be a due to their knowledge of the construction industry, particularly with regard the risk of insolvencies within the industry. It is however unclear what proportion of those in agreement with proposition, hold BLL accountable. The degree to which consultants may have been "overpaid" for their services is raised in question six. The public poll suggests that 85% find agreement with this proposition and agree that the fees should have been renegotiated. Interestingly, 63% of the professionals also agree and perhaps this is indicative of their greater understanding of the procurement process. The subject of fees has also

recently returned to haunt the project with a leaked report compiled by QS Gardiner Theobald in 2000 coming to light. The unpublished report concluded that BLL should have been eliminated at an early stage because its tender was too high (Building 2002b). Such a finding would perhaps suggest that the report authors considered “lowest-bid” a more important comparator than the current prerequisite in public sector procurement- value for money.

The overall success of the project cannot at this time be assessed, completion is some time away and BLL's programme is not open to public scrutiny. However, the replies to question seven are persuasive in their condemnation of this project. Around 90% of the public and 85% of the professional agreeing that the cost escalation of this project being unacceptable. One may question as to what influence the Scottish media have had in encouraging this view? For example, the daily broadsheet “The Scotsman” appears to have had an “editorial” vendetta against the project whilst the tabloid “Scottish Sun” has published whimsical front page headlines such as “Rip it Up and Rip ‘Em Off” (wastage on site) and a “£375m Pain in the Glass” (£17,000 windows don’t fit). This is clearly not what the M4i would consider best practice publicity from what should have been a national “demonstration project”.

DISCUSSION

This project has received extensive media coverage and it is probably the best-known construction project in Scotland for many decades. Few people in Scotland are without opinion on the cost issue. Broadly speaking the argument against centers around the number of schools and hospitals that could have been built using the “extravagant” amount of money spent on a building to house civil servants. The negative reporting of several prestigious PFI construction projects by sections of the Scottish media has, coincidentally, focussed increased attention on the performance of the construction industry. This has attracted additional attention to the Holyrood project. Interestingly, some critics have also suggested that the parliament project should have been procured under the PFI. An option apparently now being considered for the new Welsh Assembly project in Cardiff. The critics then appear to fall into what Loosemore (2000) refers to as “ritual damnation” whereby the public has a tendency to attack public projects, particularly where they have paid their taxes to finance it. Indeed, a country that has a reputation for looking after the pennies has bought itself a national parliament building for a cool £338m (Building 2003a).

Supporters speak of a magnificent “architectural” building that represents Scotland's devolution and that in time will rank alongside the likes of Edinburgh Castle and the Firth of Forth Rail Bridge as symbols of Scotland's stature. Building (2003a) for example talks of the “romantic swirling symphony of architecture”. Others take note of the innovation in design and construction and align this project with other recently completed innovative projects in Scotland- Falkirk Wheel (only rotating boatlift in the world) and suggest that in the future it will be comparable to such international icons as Sydney's Opera House. This group are less concerned with the overspend but are not well represented in the opinion poll reported on in this paper.

CONCLUSION

The paper has identified the problems of time and cost overruns on the Scottish Parliament Holyrood building project and has considered the relevant factors that are equally applicable to other large public funded projects. Additionally, this paper has

identified other areas, namely Queensberry House and the collapse of Flour City that can be considered to be contributable to the project being seen by many as a failure, despite being partially complete. Indeed if the design was intended to reflect a dynamic and fast growing Scotland, the building process seems to have done exactly the opposite (Public Sector Review 2002)

Despite this project being commissioned in 1997, before the publication of the Rethinking Construction report (and the subsequent establishment of the Central Government Task Force whose remit is to improve public sector procurement) both the client and the project team had at their disposal, a legacy of lessons (i.e. National Audit Office reports) that could have been learned from previous public construction projects. The cost and time escalations encountered on previous public sector projects are well publicized and in particular the need for both a firm brief and strong client leadership are well rehearsed. However, this project has succumbed to a creeping design; an unrestrained client; escalating costs and political game playing.

The pressure from MSPs and the Scottish public has however resulted in a fresh inquiry into these problems. In May 2003, First Minister Jack McConnell appointed Lord Fraser of Carmyllie with a remit of investigating the key decision-making events undertaken at conception, briefing and design stages. This is broadly considered to be a “blame” allocation exercise and the conclusions made by two USA researchers (Davidson and Huot 1989, cited in Flyvbjerg *et al.* 2003) are painfully relevant here. In examining major projects, they argue that the incentives to produce optimistic estimates of project viability can be very strong and disincentives weak. In particular they suggest that accountability is low and politicians who underestimate costs (Macwhirter 2003 refers to a “bogus guesstimate”) in order to have a project approved are rarely in office when actual viability can be calculated (in this case the premature deaths of both the project architect, Enric Miralles and the former Scottish Secretary, Donald Dewar). Furthermore, contractual penalties for producing over-optimistic tenders are often relatively small. This point having significance for the Scottish Parliament engineering, design and cost consultants who have been paid substantial increased fees and who have been tagged as “Bisto Boys” gathered around a “dripping roast” (Sunday Herald 2003). However, despite the apparent acceptance by the consultants that the total fees due at the end of the project will now be capped, (Contract Journal 2003) those polled in the survey reported on here may like to see those accountable for the fiasco, hung, drawn and quartered. The irony here is that the politicized nature of the projects commission and key decision events may yet be uncovered in the new inquiry. Indeed, the project inquiry is actively encouraging “whistleblowers” to supply evidence. This is perhaps fitting given that project is located on a historic site at the bottom of the Royal Mile known as the Water Gate!

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