



The Appointment of an Architect/Surveyor

The appointment of an architect or surveyor, either to undertake a Quinquennial Inspection or to plan and direct works, is an important part of every PCC's responsibility. A good relationship between the PCC and the person appointed is crucial to the building up of a successful partnership for everyone – and the church fabric!

The nuts and bolts of the legal background and the appointment of an architect or surveyor are clearly explained in the Council for the Care of Churches (CCC) booklet *A Guide to Church inspection and Repair* which is available from Church House Publishing or your local bookshop (ISBN 07151 7568 8). It is also available on the ChurchCare website at www.churchcare.co.uk/churches/guidance-advice/looking-after-your-church/quinquennial-inspections/quinquennial-inspections-the-report. Every PCC will find it useful.

Grant Providers and Procurement

The Heritage Lottery Fund (HLF), and other grant providers awarding public monies, are required to follow strict procurement rules if public funds (i.e. a grant from the Heritage Lottery Fund's Grants for Places of Worship and the government's Listed Places of Worship Grant Scheme {for the reclamation of VAT}) will contribute over 50% of the total funding – even if the project is phased over a number of years: -

- **Fees up to £10,000** Tendering is not formally required but PCCs need to demonstrate good value for money or best value
- **Fees of £10,000 - £50,000** Tenders are required for services by a professional adviser (usually a church architect) with proper advertisements
- **Fees over £50,000** Proof of competitive tendering (including advertisement in the European Journal) will be required

Note: Tendering will apply to both the lead professional (architect / surveyor) and also the contractor. Best value does not mean that the PCC has to accept the lowest tender submitted. Other factors will influence whether that or another tender represents best value for money for the PCC.

More information about the legal questions on this can be found at:

www.churchcare.co.uk/churches/advertising-for-professionals

As PCCs won't know the fee level until the project has progressed sufficiently, the DAC would encourage the PCC to appoint the QI Architect / Surveyor as well as the architect / surveyor for one-off projects (e.g. alterations or a re-ordering &/or extension) by competitive tender so that, regardless of the fees to be incurred, the PCC can prove that they have sought best value for the money they are spending – this should take into account their qualifications, relevant knowledge/experience, resources, quality of service, and their understanding of the PCC's needs, and any other issue that would have a bearing on their cost effectiveness.

The DAC would also like to encourage PCCs who are appointing an architect / surveyor for the Quinquennial Inspection to consider adopting the same procedure.

The appointment process needs to be as transparent as possible. Consequently, the PCC needs to be careful that at no stage before the appointment is finally made that the impression is given, whether intentionally or unintentionally, that the outcome is in any way pre-judged.

Appointing an Architect / Surveyor to undertake the Quinquennial Inspection

The architect or surveyor appointed to undertake the *Quinquennial Inspection* must be on the Diocesan Advisory Committee's Approved List of Architects and Surveyors ("The List") which can be:

- Obtained from the DAC Secretary
- Downloaded from the website at http://www.dioceseofcoventry.org/images/document_library/UDR00050.pdf

Individuals (not practices) can apply to be included on the List but only those who meet the necessary criteria in terms of training and experience are admitted. The List is a legal requirement under the Inspection of Churches Measure 1955 and applies only to the undertaking of Quinquennial Inspections.

*Note: The approval process for the purposes of undertaking Quinquennial Inspections **does not consider** whether or not an architect / surveyor is capable of undertaking alterations to a church.*

It is not a requirement of being added to the List that the architect or surveyor be on one of the Conservation Registers (i.e. AABC, RIBA or RICS) but being so registered is strongly encouraged.

*The fact that an architect / surveyor has been approved and their name added to the List **does not mean** that a competitive tendering process has been undertaken – it merely indicates that they have the qualifications and experience necessary to undertake Quinquennial Inspections. Each PCC is responsible for making their own appointment from the List.*

If the PCC wishes to appoint a suitably qualified and experienced architect/surveyor whose name is not currently on the List, that architect/surveyor will have to apply to the DAC Secretary for approval **before** they undertake the Inspection.

When the PCC appoints an Inspecting Architect or Surveyor, the DAC Secretary should be informed, **in writing**, so that the DAC's records can be kept up to date.

Appointing an Architect/Surveyor by Competitive Tender for the Quinquennial Inspection and Remedial Works

As the remedial works flagged up as urgent (i.e. within two years of the Inspection) may be eligible for grant funding (particularly for structural works), the DAC would encourage PCCs to appoint the Quinquennial Inspecting Architect or Surveyor by Competitive Tender so that if a grant application has to be made, this part of the process has already been completed.

The appointment should be made on the basis of an agreed:

- Fee for the Inspection and Report
- Percentage fee for any remedial works that may be required

This would have the advantage of guaranteeing to the appointed architect / surveyor that they will be asked to specify and direct the works required in the light of the Quinquennial Inspection. By so doing, the DAC hopes that architects / surveyors will find the undertaking of QIs more attractive and also that the “free” advice that architects / surveyors often give to PCCs will be, at least to some extent, taken into account rather than taken for granted.

Advertising Works

To make an appointment this way, the PCC will need to advertise that they wish to make such an appointment so that architects or surveyors can express their interest in being considered. Coventry Diocese has agreed with the Heritage Lottery Fund (HLF) that placing an advert in the following **two** places will be deemed to have met this requirement: -

- Advertising for Professionals page of the Churchcare website www.churchcare.co.uk/churches/advertising-for-professionals - there is a form to complete, which can be found on the website along with the details of how to submit it. There is no charge for advertising here.
- Diocesan website (at no cost) – please send a copy of the form you are sending to Churchcare to the DAC Secretary who will put it on the website and email all the approved architects flagging up the fact that the advert has been posted

The PCC can also send a copy of the advert to particular architects or surveyors so that they have an opportunity to express an interest but the letter should not be capable of being interpreted as implying that they will be especially favoured. PCCs are also free to advertise in other publications or websites as they wish. HLF will want to see that an open and fair process has been followed.

Shortlisting

After the expressions of interest have been received, they need to be sifted and shortlisted carefully checking their qualifications, experience, references and that they are on one of the following Conservation Accreditation Registers:

AABC (www.aabc-register.co.uk/)

RIBA (www.architecture.com/JoinTheRIBA/ConservationRegister/ConservationRegister.aspx)

RICS (www.rics.org/uk/join/member-accreditations-list/building-conservation-accreditation/)

The shortlisted architects / surveyors should then be invited to visit the church and meet members of the PCC before they submit a tender for the Quinquennial Inspection and the remedial works. They will need to see the previous QI Report.

Note: All the information submitted as part of the tendering process needs to be treated with total confidentiality and not divulged to anybody (and that includes other tenderers).

If, having followed this procedure, the PCC decides to appoint an architect / surveyor who is not on one of the Conservation Accreditation Registers, and then needs to apply to HLF or other grant bodies, the HLF have advised that:

- the **lead professional** (usually an architect or a surveyor) for the grant application (i.e. the one who will be directing the works that will be) **must be**: -
 - On the one of the conservation registers i.e. AABC, RIBA or RICS
 - Appointed by competitive tender

If the QI Architect / Surveyor is not on a Conservation Register, the PCC would be entitled to use that architect / surveyor to administer the tendering process for the appointment of the lead professional for the grant application works.

Appointing an Architect or Surveyor by Competitive Tender for 'one-off' projects, e.g. alterations or a re-ordering and/or extension

Architects and surveyors for these sorts of projects do not need to be on the Diocesan Approved List for the purposes of Quinquennial Inspections. Theoretically, they may not need to be conservation accredited – unless the PCC is intending to at least partly fund the project through grants as some private grant making trusts will require this as a condition. However, in reality, and especially for works to churches that are Listed Grade I and Grade II*, the use of a conservation accredited architect / surveyor is likely to produce a far better outcome.

If a PCC is seeking to appointing an architect / surveyor to undertake a specific project, such as a re-ordering or an extension, PCCs should be aware that whilst most architects / surveyors should be competent to do the inspection and report, that does not guarantee that they have the wider vision and flair to produce really good designs for new work in Listed Places of Worship. Consequently, PCCs will need to run a separate appointment process along the same lines as set out above.

Shortlisted architects / surveyors will need to **visit the church and meet members of the PCC** and should also be provided with **drafts copies of the Statement of Significance, Statement of Need and Options Appraisal** before they submit their tender. Submission of the tender will probably be best done through an interview process.

Note: All the information submitted as part of the tendering process needs to be treated with total confidentiality and not divulged to anybody (and that includes other tenderers).

If, having followed this procedure, the PCC decides to appoint an architect / surveyor who is not on one of the Conservation Accreditation Registers, and then needs to apply to HLF or other grant bodies, the HLF have advised me that:

- the **lead professional** for the grant application (i.e. the one who will be directing the works that will be) **must be**: -
 - On the one of the conservation registers i.e. AABC, RIBA or RICS
 - Appointed by competitive tender

If the QI Architect / Surveyor is not on a Conservation Register, the PCC would be entitled to use that architect / surveyor to administer the tendering process for the appointment of the lead professional for the grant application works.

Example questions for the appointment process

In order to try and help PCCs avoid confusion and misunderstanding, the DAC has drawn up a list of questions which are suggested as a basis for finding out more about the architect/surveyor and the cost of her/his professional services. These are only suggestions (and much more information is outlined in the CCC's booklet) but the Committee hopes that these will give the PCC a confident base-line from which to approach sometimes rather sensitive issues.

1) *About the Quinquennial Inspection Report*

- Is your inspecting architect/surveyor on the List of Inspecting Architects and Surveyors? (If not, the individual cannot undertake Quinquennial Inspections until they have been so approved by the DAC)
- The PCC is responsible for paying the architect's fee. It is appropriate to ask your inspector:
 - What is the fee for the Inspection and Report?
 - Does the fee include out of pocket expenses such as prints, photocopies and mileage/travelling?
 - Does the fee include the architect/surveyor meeting with the PCC to present the report and discuss questions/queries arising from it?
 - Are fees and expenses subject to VAT?

2) *About architectural services generally*

- Will fees be based on the RIBA conditions of engagement forms?
- On what basis will the architect's fee be calculated e.g. percentage of total cost of works or on a rate per hour basis?
- What is the percentage fee?
- What is the rate for time charge?
- Do fees include out of pocket expenses and, if not, what are considered to be out of pocket expenses and how are they charged?
- Are fees and expenses subject to VAT?
- Are fees charged for initial consultations?
- How are fees to be calculated if a project is aborted before completion?
- Are additional fees incurred for amendments/revisions to design proposals once these have been drawn up in detail?
- Does the fee include:
 - Liaising with the DAC, English Heritage, Planning Authority etc.?
 - Assisting the PCC with grant applications, insurance notification etc.?
 - Measured Surveys

3) *Particular projects (if appropriate)*

- What are the Health and Safety implications of this work?
- Do the CDM Regulations apply to this work?
- Does the fee include the services of a Planning Supervisor? If not, will the Planning Supervisor charge an additional fee?
- What other professional disciplines are likely to be involved {e.g. structural engineer, heating/lighting consultants, quantity surveyors, archaeologist, conservator(s)?} and what are their fees?
- When will fees be invoiced?

- What happens if the project is to be grant aided by the Heritage Lottery Fund (HLF)?
- Are you personally an approved member of the Register of Architects Accredited in Building Conservation (AABC), RIBA Conservation Register, RICS Building Conservation Register?
- If, in the course of works, additional work is found to be necessary: -
 - How will the fees for the additional work be calculated?
 - What might that mean for any grant awarded by the HLF and others?