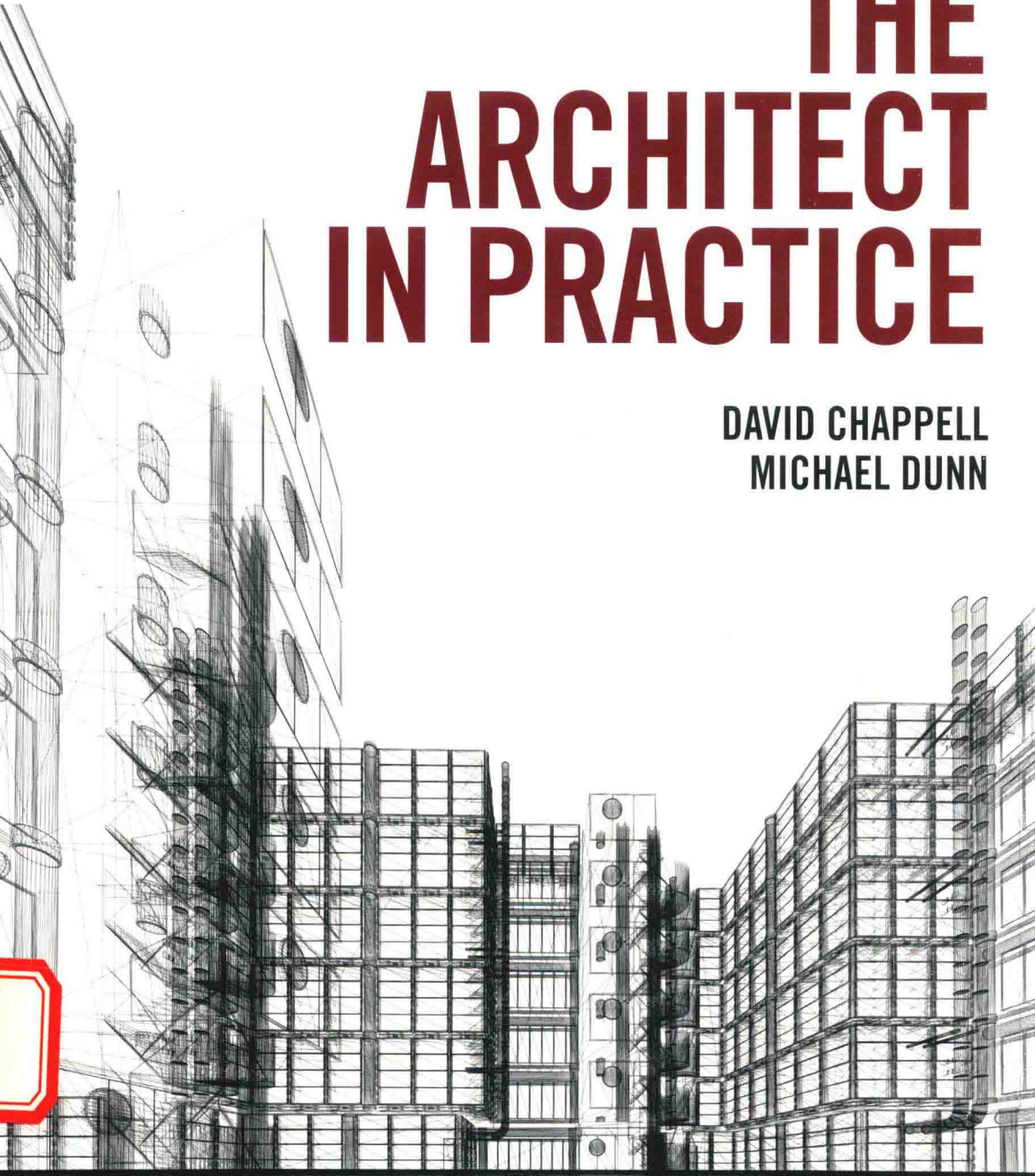


11TH EDITION

THE ARCHITECT IN PRACTICE

DAVID CHAPPELL
MICHAEL DUNN



WILEY Blackwell

The Architect in Practice

Eleventh Edition

David Chappell

Michael Dunn

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The Inspiration

From a pseudonymous letter of a quantity surveyor to
the *Builder*, 9 March 1951

'I have great admiration for an architect who does his job well, because he has one of the most difficult jobs in the world. He must be an artist but at the same time in his administration of a building contract be a business man, and in interpreting it even something of a lawyer.'

The Dedication

To Arthur Willis, Christopher Willis and Bruce George
and

To the architectural profession

in the hope that the book may encourage that co-operation of which its joint authorship is
a symbol.

Preface

It is often said that architects are poor at business. We suspect that, if true, it is because they enjoy what they do so much. It is not unusual to find architects continuing to work in order to see their buildings constructed long after disputes about fees and other things would have persuaded other professionals to walk away. Architecture is undoubtedly one of the professions that can be enjoyed. It offers a wealth of interest in a variety of fields which few other professions can match, and provides an emotional satisfaction which only the other arts can stimulate. In order to derive the fullest pleasure from it architects must devote themselves completely to its study and practice. The more proficient they become and the greater mastery they can acquire the more complete will be their enjoyment.

Ability to design and skill in draftsmanship or in using computer-aided design equipment will not alone make an architect. Architects should bring the same skill to all sides of their profession, whether it is the initial building survey, feasibility studies, concept design, production information or the giving of professional advice and undertaking the administration of the construction contract. In common with other professions architects owe a duty of care to their clients but they have a greater responsibility than most in that the buildings and environments that they create affect the population at large.

The purpose of this book is to present to architectural students, and perhaps the less experienced practitioners, some indication of the practice and procedure with which they must be acquainted if they are to follow their profession with success. They must find clients to employ them, they must be able to manage an office and be responsible for a good deal of administrative work in connection with construction contracts, and they must know something of finance, law, the general structure of the construction industry and the organisation and requirements of those authorities who exercise so much control over their day-to-day work. Let the readers, therefore, move away from their CAD equipment, lay aside their thick felt pens and settle down to their desk or armchair to study an aspect of their work which is essential to make them efficient architects.

The architect's work is here looked at mainly from the angle of the private practitioner dealing with the JCT forms of contract, though references are made where appropriate to public service practice and to other forms of contract. Architects in private practice are often commissioned to act for public authorities and they must therefore be able to adapt to the differing conditions which this type of work involves.

Since the last edition, some re-ordering and re-structuring of the contents has taken place. The chapters have been arranged in the sequence which looks at

what needs to be in place so that an architect can run a business. Part 1A opens with an introduction to the construction industry and is followed by details of entry to the profession and its regulation. This part deals with employment opportunities, advice on employment and hints for those wishing to set up in practice. Part 1B looks at some basic principles of managing and working in a practice including marketing, insurance and accounts. Part 2 ends the book with the running of a project, the chapters being based around the work stages of the RIBA Plan of Work which has again been revised since the last edition. Each chapter ends with notes and law case citations together with a selected bibliography.

The Architect in Practice was first published over 60 years ago in 1952. It was written by two men, one a quantity surveyor and one an architect, both of whom had a flair for writing and who, after working together for some years, came to the conclusion that a textbook on architectural practice was needed. During that time, through ten editions, it has remained a leading textbook used in the education of architects worldwide. This is the first edition which does not have as Quantity Surveyor author a member of the Willis family. The mantle was passed down through three generations and we are grateful to Andrew Willis who has taken that role for the last three editions.

The format of the book was radically changed for the seventh edition in order to make it more accessible to the casual reader. That revised format was well received. The structure of this latest edition has been significantly revised and will hopefully present the reader with a logical layout. As with the previous revisions though the format has changed, the message and philosophy remains the same: here is a book which tries to present to the reader some of the elementary duties that architects owe to their clients and contractors alike, and to endorse the adage that of the many responsibilities borne by an architect, the greatest is the duty of care.

Architectural practice is now much more complex than was the case 60 years ago. There is now a multitude of forms of building contract to choose from, which would take a lifetime to read. It is not possible to write in any detail on such a wide subject: it warrants a set of textbooks on its own. The most helpful thing that we can do is to point the reader to relevant sources for this and other allied subjects.

As usual, this edition has been brought up to date and our commentaries revised where we judged it appropriate to do so. This includes among other things: the need to address the RIBA Plan of Work 2013 both in terms of commentary and the structure to the book, updating our commentary on the RIBA Standard Form for the Appointment of an Architect 2010 (2012 Revision) and employment law and dealing with the impact of BIM. The Joint Contracts Tribunal has reissued all its contracts as a 2011 suite. The new contracts have been revised to comply with the amendments to the Housing Grants Construction and Regeneration Act (as amended) 1996 which place significant further responsibilities on an architect undertaking the role of contract administration. All references to JCT contracts in this book have been updated, where appropriate, to refer to the new contracts. We are pleased to know that this book is used in the Republic of Ireland, Egypt, Nigeria and Malaysia and in this edition,

we have included reference to education, registration and other requirements in these countries.

Finally we hope that our efforts will assist future generations of architects in the way that Arthur Willis and Bruce George assisted our generations.

David Chappell
Michael Dunn
January 2015

Note

The Construction (Design and Management) Regulations 2015 came into force on 6 April 2015. This was too late to make any significant amendments to the manuscript which was with the publishers at the time. However, where appropriate and where possible, minor amendments have been made to the manuscript to identify the introduction of this change and through the use of endnotes the reader has been directed to further appropriate reading. Unfortunately, the new Regulations have replaced the role of CDM Co-ordinator with that of Principal Designer. This may well lead to some confusion between the roles of Lead Designer and Principal Designer.

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The RICS 'Valuation' and 'Statement of Retention Values' forms, reproduced on pages 430 and 435 can be purchased from RICS at www.ricsbooks.com

Abbreviations and Acronyms

AA CPE	Architectural Association School of Architecture (London) Certificate of Professional Experience
ABE	Association of Building Engineers
AC	Appeal case
ACA	Association of Consultant Architects
ACA 3	ACA Form of Building Agreement 1998 (1999 revision)
ACA SFA	The Association of Consultant Architects Standard Form of Agreement for the Appointment of an Architect 2012
ACEu	Architects Council of Europe
ACAS	Advisory, Conciliation and Arbitration Service
ACE	Association for Consultancy and Engineering
All ER	All England Law Reports
APEAS	Architects Professional Examination in Scotland (Edinburgh)
APM	Association for Project Management
APSAA	Association of Professional Studies Advisors in Architecture
ARB	Architects Registration Board
ARCON	Architects Registration Council of Nigeria
ARCUK	Architects Registration Council of the United Kingdom
BAE	Board of Architectural Education
BBA	British Board of Agrément
BBC	British Broadcasting Corporation
BCIS	Building Cost Information Service
BEC	Building Employers Confederation
BIM	Building Information Modelling
BLR	Building Law Reports
BPF	British Property Federation
BPIC	Building Project Information Committee
BRE	Building Research Establishment
BREEAM	Building Research Establishment Environmental Assessment Methodology
BSI	British Standards Institute
BSRIA	Building Services Research and Information Association
BUILD	Building Users' Insurance Against Latent Defects
CAA	Commonwealth Association of Architects
CABE	Chartered Association of Building Engineers
CAD	Computer-aided design
CATS	Credit Award Transfer System

CAWS	Common Arrangement of Work Sections
CBC	RIBA Concise Building Contract 2014
CBI	Confederation of British Industry
CC	Construction Confederation
CCG	Construction Client's Group
CCPI	Co-ordinating Committee for Project Information
CD81	JCT Standard Form of Building Contract with Contractor's Design 1981
CDMR	Construction (Design and Management) Regulations 2007
CDP Act	Copyright, Designs and Patents Act 1988
CE11	JCT Constructing Excellence Contract 2011 (note that the JCT abbreviate for this contract is CE but because this abbreviation is used for Conformité Européenne the abbreviation CE 11 has been adopted in this book)
CE	Conformité Européenne
CE/P	JCT Constructing Excellence Project Team Agreement 2011
CE/95	RIBA Conditions of Engagement for the Appointment of an Architect 1995
CESMM	Civil Engineering Standard Method of Measurement
CIArb	Chartered Institute of Arbitrators
CIB	Construction Industry Board
CIBSE	Chartered Institution of Building Services Engineers
CIC	Construction Industry Council
CIJC	Construction Industry Joint Council
CIOB	Chartered Institute of Building
CIMAR	Construction Industry Model Arbitration Rules
CI/SfB	Construction Information/Samarbetskommitten for Byggnadsfragor
CIL	Community Infrastructure Levy
CILL	Construction Industry Law Letter
CIRIA	Construction Industry Research and Information Association
CITB	Construction Industry Training Board
CLD	Construction Law Digest
CLG	Communities and Local Government
ConLR	Construction Law Reports
ConstLJ	Construction Law Journal
CM/A	JCT Construction Management Appointment 2011
CM/TC	JCT Construction Management Trade Contract 2011
CPA	Construction Products Association
CPD	Continuing professional development
CPI	Co-ordinated project information
CPIC	Construction Project Information Committee
CV	Curriculum vitae
DB	JCT Design and Build Contract 2011
DBC	RIBA Domestic Building Contract 2014

DCLG	Department of Communities and Local Government
DCMS	Department of Culture, Media and Sport
DEFRA	Departments of Transport, the Environment, Farming and Rural Affairs
DOE	Department of the Environment
DWP	Department for Work and Pensions
ECC	NEC3 Engineering and Construction Contract
ECLG	Environment Community and Local Government
ECTS	European Credit Transfer System
EH	English Heritage
EMR	Electromagnetic Radiation
ENACA	European Network of Architectural Competent Authorities
EPC	Energy Performance Certificate
EPIC	Electronic Product Information Co-operation
EU	European Union
FA	JCT Framework Agreement 2011
GMP	Guaranteed Maximum Price
GN	Guidance Notes
GDPO	The Town and Country Planning (General Development Procedure) Order 1995, with later amendments
GPDO	The Town and Country Planning (General Permitted Development) Order 1995, with many later amendments
HE	Historic England
HO/C	Building contract for a home owner/occupier who has appointed a consultant to oversee the work 2005
HO/CA	Consultancy agreement for a home owner/occupier appointing a consultant in relation to building work 2005
HO/B	Building contract for a home owner/occupier who has not appointed a consultant to oversee the work 2005
HSE	Health and Safety Executive
IC	JCT Intermediate Building Contract 2011
ICSub/NAM/E	Intermediate Named Sub-Contractor/Employer Agreement
ICSub/NAM	Intermediate Named Sub-Contract Tender and Agreement
ICC	ACE and CECA Infrastructure Conditions of Contract (ICC) 2011
ICD	JCT Intermediate Building Contract with contractor's design 2011
ICE	Institution of Civil Engineers
ICWCI	Institute of Clerks of Works and Construction Inspectorate of Great Britain Inc
IES	Integrated Environmental Services
IEE	Institution of Electrical Engineers
IFC 84	JCT Intermediate Form of Building Contract 1984
IMechE	Institution of Mechanical Engineers
ISDN	Integrated Services Digital Network

IStructE	Institution of Structural Engineers
ISO	International Organization for Standardization
JCT	Joint Contracts Tribunal Ltd
JCT 63	JCT Standard Form of Building Contract 1963
JCT 80	JCT Standard Form of Building Contract 1980
JCT 98	JCT Standard Form of Building Contract 1998
JV	Joint venture
KPI	Key performance indicators
LDD	Local Development Document
LDF	Local Development Framework
LDS	Local Development Scheme
LI	Landscape Institute
LLP	Limited Liability Partnership
LPA	Local Planning Authority
MC	JCT Management Building Contract 2011
MP	JCT Major Project Construction Contract 2011
MIPPS	Ministerial Interim Planning Policy Statement
MTAN	Minerals Technical Advice Note
MTC	JCT Measured Term Contract 2011
MW	JCT Minor Works Building Contract 2011
MWD	JCT Minor Works Building Contract with contractors design 2011
NBS	National Building Specification
NEC	New Engineering Contract
NJCC	National Joint Consultative Committee for Building
NPF	National Planning Framework
NPPF	National Planning Policy Framework
NPPG	National Planning Practice Guidance
NRM	New Rules of Measurement (RICS)
NSCC	National Specialist Contractors' Council
NSIP	Nationally Significant Infrastructure Project
OS	Ordinance survey
PAM	Pertubhan Arkitek Malaysia
PAN	Planning Advisory Note
PAYE	Pay as you earn
PERT	Performance Evaluation and Review Technique
PCC	JCT Prime Cost Building Contract 2011
PCSA	JCT Pre-Construction Services Agreement 2011
PD	Permitted Development
PEDR	Professional Experience Development Record
PFI	Private Finance Initiative
PHPP	Passivhaus Planning Package
PI	Professional indemnity insurance
PINS	Planning Inspectorate
PPC 2000	ACA Standard Form of Contract for Project Partnering
PPG	Planning Policy Guidance
PPP	Public-Private Partnership

PPS	Planning Policy Statements
PSA	Property Services Agency
QQI	Quality and Qualifications Ireland
RIAI	Royal Institute of the Architects of Ireland
RIAS	Royal Incorporation of Architects in Scotland
RIBA	Royal Institute of British Architects
RICS	Royal Institution of Chartered Surveyors
RM	JCT Repair and Maintenance Contract 2011
RPB	Regional Planning Body
RSAW	Royal Society of Architects in Wales
RSS	Regional Spatial Strategy
RSUA	Royal Society of Ulster Architects
RTPI	Royal Town Planning Institute
SBC	JCT Standard Building Contract 2011
SBC/AQ	JCT Standard Building Contract With Approximate Quantities 2011
SBC/Q	JCT Standard Building Contract With Quantities 2011
SBC/XQ	JCT Standard Building Contract Without Quantities 2011
SEC	Specialist Engineering Contractors
SELECT	Electrical Contractors' Association for Scotland
SFA/92	RIBA Standard form of Agreement for the appointment of an architect 1992
SFA/99	RIBA Standard form of Agreement for the appointment of an architect 1999
SMM	Standard Method of Measurement for Building Works
SNIPeF	Scottish & Northern Ireland Employer's Federations
SoS	Secretary of State
SPC 2000	ACA Specialist Contract for Project Partnering
SPD	Supplementary Planning Document
SPG	Supplementary Planning Guidance
SPP	Scottish Planning Policy
SPV	Special Purpose Vehicle
SW/96	RIBA Conditions of Appointment for Small Works 1996
TAN	Technical Advice Note
TeCSA	Technology and Construction Solicitors Association
TPO	Tree Preservation Order
UCAS	Universities and Colleges Admissions Service
UCAT'T	Union of Construction, Allied Trades and Technicians
UIA	International Union of Architects
UK	United Kingdom
UNICLASS	Unified Classification for the Construction Industry
UCO	Town and Country (Use Classes) Order 1987
VAT	Value added tax
VOIP	Voice Over Internet Protocol
WLR	Weekly Law Reports

Construction Act	Housing Grants, Construction and Regeneration Act 1996 as amended by The Local Democracy Economic Development and Construction Act 2009
Scheme	Scheme for Construction Contracts (England and Wales) 1998 (as amended by the Scheme for Construction Contracts (England and Wales) Regulations 1998 (Amendment) (England) Regulations 2011)
NI Order	Northern Ireland the Construction Contracts (Northern Ireland) Order 1997 as amended by the Construction Contracts (Amendment) Act (Northern Ireland) 2011

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