

Scala

Autumn 2004

news

Construction & architecture news for the public sector



in this issue: The design of eco-schools, Contraction and convergence, To PFI or not to PFI, Workload boom, Green specifying





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Editorial comments



I have a confession to make -

Despite organising numerous events over the years (no, please don't ask how many!) for SCALA, I couldn't get really enthusiastic about many of the subjects.

Of course I recognised that office costing systems, CCT, a new building contract, serial contracting, pay and conditions, professional indemnity, PFI, Partnering etc, etc, etc, were all important and critical to the professional lives of the

membership at the time. However, I always had the feeling, usually proved right, that whatever it was would pass and be replaced by some other burning issue.

The exception has been sustainability. I can still remember the excitement of organising the Sustainability Study Day in Birmingham some six years ago. We had speakers who were passionate about their subject and a big audience who responded to that passion. Here was a subject you knew was with us for a long time and about which you could do something positive rather than simply play the latest Government initiative game or management fad.

It has therefore been a bonus that my short tenure as your editor has coincided with another Sustainability Study Day where the speakers were excellent and the quality of questions and debate a sure sign of a motivated audience. However, for a combination of reasons attendance was not high and so I've taken the opportunity to spread their word to a wider audience through **Scalanews**.

Dave Hampton of ABS consulting sets the scene with an overview, we have an introduction to 'Sustainability works', Mike Winward gives us an insight into the NBS approach to sustainability, and, in the true

tradition of SCALA, Nick Loomes of Suffolk shares their experience of developing an approach to sustainability.

Some of our regular contributors also take up the theme.

To avoid sustainability overkill we also have Mark Mattison talking about alternatives to PFI, and Robin Vaughan clarifies some of the current misunderstandings about the role of the ARB.

Incidentally, one of the simplest but most telling messages at the Study Day was an image of a staircase with the text '1,000 people each taking one step is better than 10 people each taking 10 steps' We can all do SOMETHING and there won't be much point in worrying about Partnering (or its many future successors) if we're all under three foot of water.

David Kimmins

Editor

T/F: 0115 846 9408

E: two.kimmins@ntlworld.com

W: www.scala.org.uk

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Scalanews is published by SCALA Ltd. (Reg. No. 2527462) with the aim of Serving Construction & Architecture in Local Authorities. For further information and to contribute to articles and comment please contact:

Editor

David Kimmins
T/F: 0115 846 9408
E: two.kimmins@ntlworld.com
W: www.scala.org.uk

SCALA is grateful for the sponsorship of the **Local Government Task Force** and **Hays Montrose** enabling the sharing of knowledge and information with members and partner organisations involved in providing construction and architecture services to the Public Sector. Contact details for our sponsors are:

Local Government Task Force

Peter Bishop, Project Director
T: 020 7837 8286 F: 020 7813 3060
E: team@lgtf.org.uk
W: www.constructingexcellence.org

Hays Montrose

Richard Gelder, Public Sector Director
T: 07785 377614
E: richardgelder@hays-montrose.com
W: www.hayspersonnel.com

Scalanews is published five times a year and is distributed free of charge to members of SCALA (Society of Chief Architects of Local Authorities) and the ACA (Association of Consultant Architects) as well as through our sponsors. For information on membership and other matters please contact the Editor or go to:

SCALA W: www.scala.org.uk
ACA W: www.ACArchitects.co.uk

Published by:

Lansdowne Publishing Partnership Ltd.
T: 0161 872 6667 F: 0161 872 6665
E: info@lansdownepublishing.com

Printed by:

Pelican Press Ltd.

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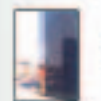
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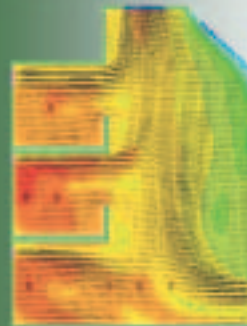
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The design of ⁵ new eco-schools

Nick Loomes describes Suffolk's approach to sustainability

Design

The department's work in the field of education has been recognised nationally and locally in the numerous awards that our new school buildings have received. Our new primary schools are designed to be environmentally responsible and therefore include many sustainable materials and energy saving features. The key to designing energy efficient schools is the adoption of an integrated design approach.

These projects have been developed through a partnership of selected industry professionals forming a multidisciplinary team, including Suffolk County Council's in-house property design team. Consultants are appointed at an early stage to bring to the table their wider knowledge of building systems and energy conscious design. 'Partnering' engenders a feeling of ownership and encourages the client, building users and members of the construction team to work together in an open and honest way.

The objective in all projects is to produce buildings that incorporate sustainable components in their design and which require limited maintenance, thus leading to improved life cycle costs. Materials are carefully chosen either for their low embodied energy or because they could be recycled.

At design stage, the whole building is thermally modelled using TAS. This allows us to monitor the effects of passive solar gain on the internal environment which in turn informs the design of passive ventilation/night-time cooling strategies.


Our new schools provide children with light, environmentally friendly buildings that provide a setting suitable for the development of good environmental activities. A school is the ideal place to provide a living example of science and the environment working together, creating opportunities for children to see and learn about the technologies used.

Partners

An essential part of developing our approach to sustainability is the formation of relationships with a number of specialist sub-contractors and suppliers. Some of these, such as SCL Interiors and M & E contractors, Warners, are local firms who are sympathetic to our aims and objectives. Others provide specialist products, such as wind turbines from Proven Engineering Products Ltd, solar collectors from Construction Resources, and rainwater systems from Stormsaver Ltd. We also have ongoing relationships with specialist consultants such as The Energy Practice Ltd.

Many of these specialists are involved from the very early stages of a project and provide advice and assistance which can't be sourced in-house

Construction

Most recent new school buildings have been constructed using either a timber stick system or a pre-fabricated timber frame with an external wall construction that is breathable and highly insulated to minimise heat loss. Insulation levels exceed current minimum standards and the insulation in the walls and roof consists of recycled newspaper which contains no CFCs. Materials that have been selected for external cladding include combinations of timber weatherboarding, self coloured fibre reinforced renders, ceramic tiling and brick. 



At Beaumont School, Hadleigh

Nick Loomes

Nick Loomes is a project architect with Suffolk County Council

Contact Details
for Partners:

The Energy Practice Ltd
Mike Foley
01206 273000

Warners
01473 253702

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Pipers Vale Primary School

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Roofs (the fifth elevation) are covered in part by living sedum blankets, chosen for its ecological benefits. It requires very little maintenance, aids summer cooling, winter insulation and protects the roof covering thus extending its life. Retention of rainwater in the sedum blanket reduces the impact of heavy rain on the surface water drains. It provides a rich habitat for birds, butterflies and other insects and also helps improve air quality as it consumes carbon dioxide.

Energy Saving And Producing Features

The schools make use of several types of renewable energy sources to contribute to the electrical and heating demands of each building. These in turn contribute to the overall sustainability of our new school buildings to reduce their overall environmental impact.

The most visible of the energy producing features, a wind turbine, has been installed in the grounds of our most recent new primary school. This has been part funded by a grant from the Clear Skies initiative which has then been match funded by Suffolk County Council's Education Department. Up to 6kW of electricity is generated by the wind turbine. On this project, a further 1kW of electricity is produced by a

number of photo voltaic (PV) cells mounted on the specially sloped roof. Electricity from the wind turbine and PV cells is fed directly into the school's electrical system thereby reducing demand from the national grid. Solar panels are also installed on roof slopes to provide pre-heated water to the large water storage tanks in the boiler room reducing the use of the gas boilers.

To help conserve water, flat roofed areas are used for rainwater recovery. Collected rainwater is stored in underground tanks and then filtered and used to flush the toilets. Drinking water is provided in the conventional way.

All the sources of renewable energy and the major loads including water usage are monitored electronically using 'building management systems'. This information can be displayed on a touch sensitive screen in main entrance foyers that give access to an easy to understand graphics display allowing children and adults to interrogate the system and gather detailed information.

The information screen will demonstrate how energy is being produced and used throughout the school. As well as providing useful feedback to enhance future design projects this will provide an excellent opportunity for learning.

It is anticipated that the energy efficiency measures employed in the design of our new schools will reduce emissions to the atmosphere by approximately 8 tonnes of carbon dioxide per annum compared to conventional schools of the same size. In recognition of this fact our most recent new school in Hadleigh has been awarded the very first CRed award for carbon reduction.

Landscape

To minimise the impact of the buildings on the environment, as much topsoil as possible is retained and spread over the site or formed into mounds to create opportunities for imaginative landscape and planting schemes.

"An eco-school is one that makes environmental issues a part of the daily life of the school."



8 The design of new eco-schools

“Young people care about their future and about the kind of world they live in, but many feel powerless to change anything.”

Educational Gains

“Education for sustainable development enables people to develop the knowledge, values and skills to participate in decisions about the way we do things individually and collectively, both locally and globally, that will improve the quality of life now without damaging the planet for the future.” (The National Curriculum, 1999 Government Panel for Sustainable Development Education, 1999)

Education for sustainable development brings a context and a motivation to learning. Young people care about their future and about the kind of world they live in, but many feel powerless to change anything. A sense of powerlessness can lead to apathy and, at worst, destructive behaviour. Education for sustainable development can help pupils to develop the understanding, skills and values to contribute in a positive way, which enhances self-esteem and increases motivation.

An eco-school is one that makes environmental issues a part of the daily life of the school. In such a school children are given the opportunity to be actively involved in the development of the whole school environment and review issues such as how to reduce litter and waste, devise efficient ways of travelling to and from school and monitor energy and water bills.



Beaumont School, Hadleigh

It also helps in the promotion of healthy lifestyles and encourages good citizenship.

A successful eco-School works by involving the whole school (pupils, teachers, non-teaching staff and governors) together with members of the local community (parents, the local authority, the media and local businesses). It encourages teamwork and helps to create a shared understanding of what it takes to run a school in a way that respects and enhances the environment. ■

Scaladiary

ACA

Fiona Griffiths 020 8325 1402

Council Meetings: 14th Sept, 20th Oct, 8th Dec.

Seminars:

PPC2000 Workshops: Newcastle 8th Sept, Birmingham 6th Oct, Southampton 3rd Nov.

SCALA

AGM: London 11th Sept.

‘Creating Memorable Places’: London 12th Nov.

Council and Forum Meetings: 10th Sept.

Wales: 23rd Sept, 18th Nov.

Midlands: Kevin Kendall 0121 304 6781 - 10th Nov.

Eastern: Roger Robertson 01473 584351 - 10th Nov.

Yorkshire: Steven George 01482 612481 - 8th Sept, 10th Nov.

South West: Tim Parker 01452 425752

SCALA (Scotland)

Liz McLean 01620 827353

Area Meetings: 5th Nov.

Executive Meetings: 8th Oct, 26th Nov. ■

So how did you⁹ spend July?

Well I tried to get away for a few days in Devon, and borrowed a friend's caravan which is perched attractively on a cliff on the south coast. However we suffered what might be regarded as typical English summer weather – wind, cold, rain, you know the sort of thing – and whilst I don't regard myself as a softy southerner, we retreated back to London. So then there was nothing left but to immerse myself in the government's Spending Review, and the publication of the eagerly awaited Gershon Efficiency Report.

Now if you are gainfully employed in the public sector I very much doubt whether you had the time to read the 200 plus pages of the Spending Review, or even the relatively modest 60 pages of the Gershon report. But I am sure you saw the press headlines about the 100,000 plus civil service jobs that will be axed, and the government's determination to focus finances on front line services. For local authorities the annual efficiency target had been pretty well trailed in advance; a relatively modest sounding 2.5% for each of the next three years. The overall local authority contribution totals £6.45 billion per annum by 2007/8, and the pessimists in journalism equate this to 20,000 job cuts in local authorities.

Now I don't believe these pessimistic predictions, and perhaps against the tide I do think that the spending review has some good stuff in it. The government has finally moved to three year capital and revenue settlements for councils, which will make longer term financial planning much easier. The introduction of the Prudential Borrowing Code and Resource Accounting will encourage responsible borrowing with a proper assessment of the revenue implications of capital investment – whole life costing at long last! And let's be honest, there are savings to be had in the procurement of most construction work. Be it new-build, maintenance or repair, serial lowest

price tendering just has to belong to the dark ages. Has anyone ever quantified the costs of dispute resolution to local authorities in England? All those lawyers and claims experts, and all those architects and surveyors not getting on with their next project.

So what can you do to find your contribution to the £6.45 billion total? Well for a practical start I suggest that you get yourself a copy of the recently published LGTF guide 'Rethinking Construction in Local Government – Ten Key Issues and How to Address them'. If you haven't got one you can download one from the LGTF web site, or you may just be able to get one of the last remaining hard copies by e-mailing kenodgers@contractauditline.com. The guide will show you exactly what to do and how to do it. Quality based assessments, whole life procurement, risk/reward sharing, using new technologies, and keeping successful teams and supply chains together; why keep on reinventing the wheel? My view is that most construction professionals have been doing much of this for some time, and probably have the odd trick or two up their sleeves that might be of benefit to their non construction colleagues. But that doesn't mean that we don't all have something to learn.

And that's an important point. Effective procurement processes apply to much more than construction. ►



Peter Bishop

Peter Bishop is the Director of the Local Government Task Force

Constructing Excellence
Warwick House
25 Buckingham
Palace Road
London SW1W 0PP

T: 020 7592 1100

E: peter.bishop@
constructing
excellence.org.uk

10 So how did you spend July?

“The National Procurement Strategy and the nine new regional centres of procurement excellence are all about sharing that knowledge and best practice.”

Whilst construction procurement is about the most complex there is much to be gained from sharing knowledge and experiences. The CCT mentality that meant everyone kept their little secrets has no place in our world. The National Procurement Strategy and the nine new regional centres of procurement excellence are all about sharing that knowledge and best practice. If you have done it, and it went well, let others benefit from your success. And if it went wrong, then tell them that too so that they don't make the same mistakes! Have you spoken to any of the Rethinking Construction Beacon Councils about their tumultuous year?

But having advocated the use of new technologies (I know my world appears to collapse now when my systems fail because I have become so reliant on them) do please beware reverse e-auctions. I don't deny that they have a place, but not in the world of construction.


And one final thought that will help you with your bit of the efficiency process, and its contractor and supplier pre-qualification. Ever heard of Constructionline?

The UK's register of local and national construction and construction related services, aims to remove the red tape that surrounds relationships between firms and clients by supplying the construction industry with a single national pre-qualification scheme. By doing

this, Constructionline removes the need for firms to submit to each client, contract by contract, first stage information and supporting documents.

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Presently over 50% of contractors and consultants registered are firms with a turnover of less than £1 million and 29% have a turnover of less than £250,000, so there is a really good range of SMEs available. The use of the Constructionline service is free to all clients, including local authorities, although a charge is made to contractors based on their turnover.

So there you have it, my suggestions for dealing with the government's spending review. Me, I'm off to Cumbria for the rest of my summer holidays. I'm used to it raining there. 

Footnote: The Gershon report 'Releasing resources to the front line', and the 2004 Spending Review can both be downloaded from the Treasury's web site at www.hm-treasury.gov.uk

Local Government Task Force



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Contraction and ¹¹ convergence

Dave Hampton says, “It’s all common sense really, and it’s reality, so it’s common sense reality I suppose - another kind of CSR?!”

We know that humankind can’t go on as we are now - unleashing billions of tonnes of carbon dioxide, year after year, as we burn up our ancient stores of precious fossil fuel. We are unlocking – as fast as we can - and from its multi-million year fossilised carbon storage place safely underground - all of the earth’s treasure of amazing hydrocarbons, (oil, gas and coal). We are downgrading our fuel store – our treasure - into Gigatonnes of invisible, but not quite harmless, Carbon Dioxide (CO²) gas. (A classic case of trying to live off our assets, instead of living off income.) No wonder the climate is changing. The miracle would be if it wasn’t.

Yes, sure, the air we all share can absorb all this extra CO² gas, no problem, and it has been, for ages. In fact, it has been doing so, uncomplainingly, for a hundred years already. But all the signs are it just

cannot carry on this way. As we wake up to this reality, scientists are telling us that we are already way past the point of no return! So how do we react to this?

It’s big. Huge. Massive news. We can ignore it, we can believe it, or we can disbelieve it. But it’s still big! One awkward twist is that all the people who do ‘get it’, understandably, can get down, angry, or otherwise lose the plot! They can become bad company! They are then best avoided! (But don’t stop reading, there is still hope!)

All this ‘burn-out’ started only around 100 years ago, and like Concorde, it can finish as fast as it started. If we are to survive, all Nations have to agree to CONTRACT (dramatically) our total national CO² emissions. Tony Blair has got us all off to a flying start suggesting 60% cuts for UK by 2050. This is way ▶



Dave Hampton

Dave Hampton is Director of ABS consulting, an associate of ‘CarbonSense’ and Chair of the Construction Industry Council (CIC) Sustainable Development Committee

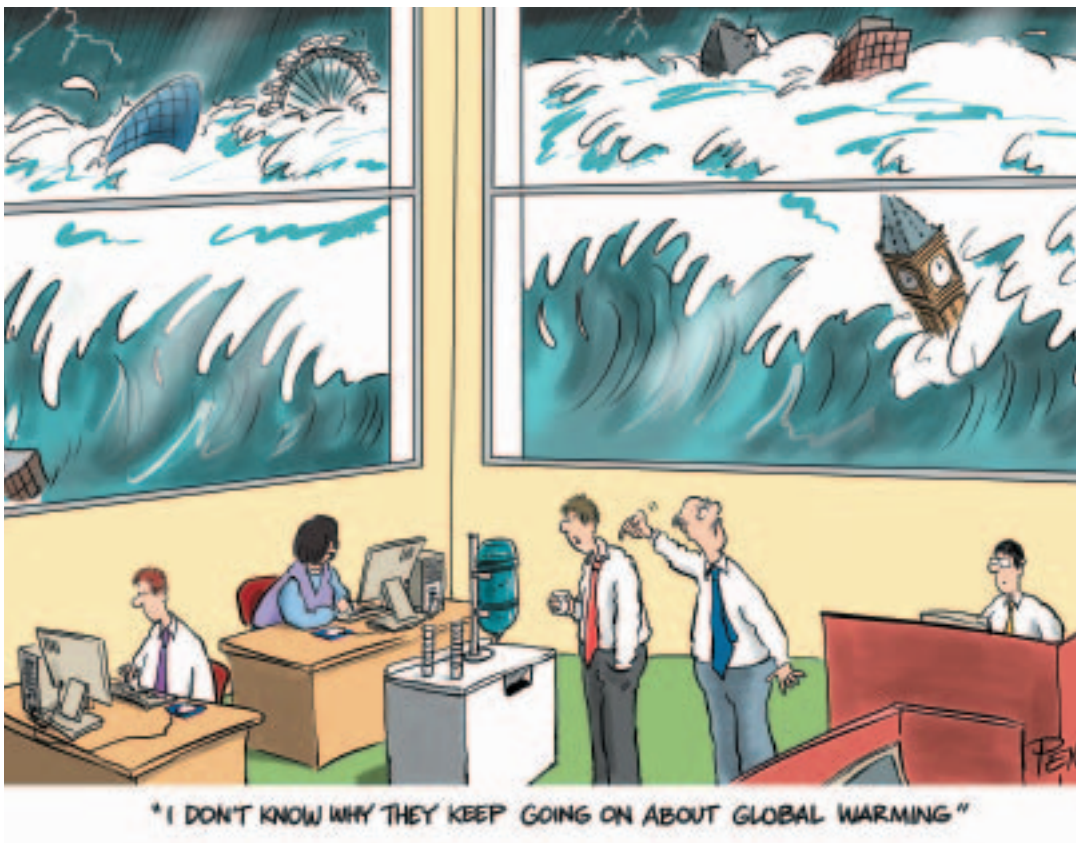
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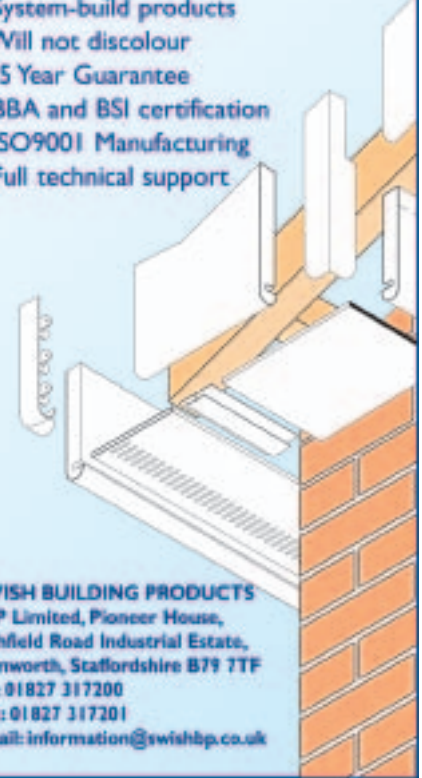


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ahead of most other countries, but is still not fast enough contraction for scientists to be sure that we will survive as a species. New evidence from the Hadley Centre is suggesting that even this target may not be nearly enough.

The CONVERGENCE part is also non-negotiable. Once scientists have worked out how much Carbon Dioxide we can continue to release, globally, then common sense (and our common atmosphere!) says that all nations must start to converge until, in an ideal world, every country (and every person?) takes responsibility for its share and limits its CO₂ to a rationed amount. That was essentially the process Kyoto embarked on.

There is no viable way forward other than that Kyoto picks up again. And common sense will prevail, once all the petit politics are exposed. There simply is no alternative, if we wish to have a future. People are not stupid, and awareness is growing that carbon dioxide is a 'real and present danger' of boggling proportions. Tony Blair's Chief Scientist recently stated that Global Warming was more of a threat than Global Terrorism. We are an amazingly inventive species, and we can avoid this imminent disastrous climate disruption, but only if we chose to acknowledge it is happening.

Curiously, initial 'ration' limits of carbon dioxide (and it's important not to confuse tonnes of carbon with tonnes of carbon dioxide - they are different) need not be uncomfortable. Although we need to contract to something like 2 tonnes (average) per capita, as compared to the 10 - 20 in UK and USA now, with carbon trading, it will be possible to 'buy' some carbon credits from those who don't need it or want it, thus redistributing wealth. More significantly, the tremendous force of creative innovation would be unleashed on solving the problem, and a whole world of exciting new products and solutions would emerge.

If we continue to value the atmosphere at zero, we continue to have a problem.

As population grows, we just have to hope we hit on ever cleverer (!) ways of producing carbon free energy, and ways of doing more with less. Interestingly, although free sunlight falls on all of us, the countries best placed to benefit from capturing solar energy are potentially the countries of the south. 'Desert' based hydrogen and electricity from sunlight-derived (includes wind) energy driven plant are perfectly feasible. If the peoples' 'will' is there, and it very soon will be.

Hold on to your hats. 2004 is the year we wake up to this, and the world will change. ■

"If we continue to value the atmosphere at zero, we continue to have a problem."

SCALA 2004

12th November 2004 Congress Centre, London

‘Place Making’

– How can we achieve excellence?

A major presentation on developing outstanding master plans and exemplar buildings.

The government has made a major commitment to investment in the public sector infrastructure for 10 - 20 years. Capital expenditure in housing, education, health and transport is already at a historic high level and following the spending review 2004 is likely to increase further. This will offer a once in a generation opportunity to transform our most deprived areas and ensure that we provide our communities with excellent public realm and facilities.

Architects, engineers and other building professionals will have to work hard and creatively to meet these challenges. To succeed, it is vital that we learn the lessons from the past mistakes and also share

ideas and best practice. SCALA 2004 - ‘Place Making’, will bring together leading experts in the field of master planning, design and urban regeneration. The event will be of interest to all architects, planners, and others in the public and private sectors.

At the President’s Dinner in the evening, SCALA will announce the winner of the Civic Building of the Year Award and there will be an opportunity to see the short listed entries. On the Saturday morning, 13th November, there will be a conducted coach tour of some of the new London landmark buildings.

PROGRAMME FOR SCALA 2004

FRIDAY 12TH NOVEMBER

9.30am Registration, tea/coffee and viewing of stands
 10.00am Welcome and introduction by the Chair,
Mukund Patel
 President of SCALA
 10.10am Ministers opening address
 10.30am **Joanna Averley**
 Director of Enabling, CABE
 11.10am Tea/coffee and viewing of exhibitor stands
 11.30am **Roger Madelin**
 Chief Executive, Argent Group plc
 12.10pm **David Higgins**
 Chief Executive, English Partnerships

12.40pm **Paul Truman**
 of Sea Space
 1.00pm Question and answer session, followed by lunch and viewing of exhibitor stands.
 2.15pm **Craig White**
 Director of White Design
 2.45pm **Councillor Beatrice Fraenkel**
 Design champion, Liverpool City Council
 3.15pm Tea/coffee and viewing of exhibitor stands.
 3.30pm **Will Alsop, OBE, RA**
 Alsop Architects Ltd
 4.10pm Question and answer session
 4.30pm Summary by Chair and closing of event.

OTHER ACTIVITIES

The social event of the year, the President’s Dinner, is being held in the superb four star Radisson Edwardian Marlborough hotel and starts with pre-dinner drinks at 7.30pm on Friday evening. The highlight of the evening is the presentation to the winner, of the SCALA Building of the Year Award, for an outstanding piece of public architecture.

On Saturday morning a coach will leave the Radisson Hotel at 9.30am for a conducted tour of some of the stunning new developments in London, including the Norman Foster, Tanaka

Business School at Imperial College, followed by a walk over the Millennium Bridge and a visit to Tate Modern.

If you wish to register for the event please complete the **delegate booking form** enclosed with **Scalanews** or book **on-line** at www.scala.org.uk.

If you require any further information, please contact Steve Dodsworth, SCALA Manager at policy@scala.org.uk or Tel. 01446 771209.

Speakers At The Event –

Joanna Averley –

Director of Enabling, CABE

Joanna leads the Enabling Programme at CABE, which provides technical advice and support to client organisations who are delivering new buildings, masterplans and open spaces. She is author and editor of *Creating Successful Masterplans* and *Creating Excellent Buildings*.

Joanna is a Town Planner and was the project manager for the masterplanning of Manchester City Centre, during the rebuilding programme following the IRA bomb of 1996. She has also led a number of other major masterplanning projects.

Roger Madelin –

Chief Executive - Argent Group plc

Roger joined Argent in January 1987 and was made Chief Executive in 1997. Argent, formed in 1981, is one of the UK's leading mixed-use and commercial developers. Argent's Brindleyplace scheme in Birmingham has received much acclaim and many awards from all sectors of the property and construction world.

Argent is currently developing in Central Manchester, and they are also in joint venture with St. George, part of Berkeley Group plc for the development of the land between and to the north of St. Pancras and King's Cross railway stations. This is set to become one of central London's largest projects since the 19th Century.

Roger believes that good design, 'place making' and inclusive area management arrangements are essential requirements to optimise value from development. He also believes that to best capture the regeneration benefits arising from development, strong partnerships are required at the earliest stage with the surrounding communities.

Paul Truman –

Architect & Urban Designer – Sea Space

Paul has spent a number of years working on large mixed use city centre developments and his role within Sea Space is to manage the masterplan process and ensure high quality design for all projects, large and small. Sea Space was set up as a development company in 2003 by the Hastings & Bexhill Task Force. Via an extensive, 10 year investment programme it is aiming to bring a new vibrancy and prosperity to Hastings and Bexhill to help the two towns fulfill their enormous potential as desirable places to live, work, study and visit.

Craig White –

Director of White Design

Craig is a founding director of White Design, which was established in 1998. Craig has 18 years experience in architectural practice and

design construction management in the UK and Germany. Involved in low energy and sustainable design since the 1980s, Craig's recent projects include Manchester Schools Framework One - school design integrating sustainability across all projects on the framework agreement; Kingsmead Exemplar School for Cheshire County Council; Anns Grove Primary School, Sheffield and a new eco-village and educational campus for Pershore colleges, Holme Lacy.

Councillor Beatrice Fraenkel –

Design Champion, Liverpool City Council

Born and educated in Liverpool, Beatrice went to London to join a major firm of architects as part of a small team responsible for determining client briefs based on user requirements - not an easy challenge!

Beatrice has been a Liberal Democrat Liverpool City Councillor since 1986 and was the lead councillor in supporting the Capital of Culture bid. As Chair of The Ropewalks Partnership, a £100 million public/private regeneration partnership in the historic quarter of Liverpool city centre, she played a part in delivering dramatic change to that area.

Appointed Design Champion for the City of Liverpool in 2002, and given a CABE personal award in 2003, Beatrice is currently involved in the Grosvenor Henderson Paradise Street Development which will deliver a completely new shopping centre to Liverpool.

Will Alsop OBE RA –

Principal – Alsop Architects Ltd

Will Alsop belongs to a generation of modern British architects who follow no single school of theory. His guiding principle is the notion that joy must be allowed to pervade every sector of the work. Though an architect of international standing and experience, Alsop forms localised responses in his work which extend beyond the project site to include the canvas of street and town, users and history. This attention centres on personal experience of the brief, the client, and an attempt to draw out aspirations rather than impose solutions. The brief grows organically from debate and experiment, and engenders spontaneous resolutions which materialise into unique structures. The commitment to organism and environment is followed through in a further belief in sustainability; Alsop buildings are implicitly environmentally responsive with low energy service systems.

Current projects for Alsop Architects include new town visions for Yorkshire, numerous regeneration and infrastructure projects in London, C/Plex cultural and arts centre for West Bromwich and a new building for the Ontario College of Art & Design, Toronto.

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Contact:
Angela James
ATG Access
Automation House
Newton Road
Lowton
Warrington
WA3 2AP

Tel: 01942 685522
Fax: 01942 269676

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marketing@atgaccess.com
Visit our website
www.atgaccess.com



To PFI or not to PFI? ¹⁷

Mark Mattison discusses alternatives to PFI

New facilities across the country are springing up as a result of the Government's Private Finance Initiative. The first projects reached contractual close in the early 1990s and the popularity of PFI has steadily increased over time. Local authorities, NHS Trusts, Ministry of Defence departments and emergency service providers, amongst others, are taking the opportunity to make use of the private sector investment possibilities. HM Treasury figures show that in the last 10 years, more than 600 projects have signed, with a total capital value of almost £40 billion.

With experience in the PFI arena increasing, the Government is now actively promoting the standardisation of projects, as part of its best value agenda. In areas such as hospitals and schools, once a successful design and implementation plan is identified (perhaps after a pathfinder project in that area) standardisation allows that methodology to be adopted across the sector. This reduces the time and cost spent in negotiating any particular deal and provides a more uniform approach to the apportionment of risk between the public and private sectors.

Government has also looked at the effectiveness of the PFI procurement route in terms of time, cost investment, commitment and related results. It is right that both public and private sectors look to improve their performance, enhancing their respective reputations, maintaining quality and delivering strategic objectives. With the need to deliver increasingly sophisticated and comprehensive key services, procuring authorities wishing to embark upon capital construction projects should be keen to ensure that the considerable amount of money spent on a project shows a tangible long-term benefit for the community.

However, PFI is not the only option. Indeed, central policy is now that projects with a capital value of less than £20 million should not be procured using the PFI route. If, for example, a local education authority or an

NHS Trust is prevented from adopting a PFI procurement approach, what are the other options? Are there any lessons that can be learned from the PFI concept which can be worked into a procurement strategy?

The public sector has been and is still being encouraged to develop clear procurement strategies which allow it to move away from traditional procurement routes. The key consideration should be to achieve the best combination of whole life cost and quality.

The National Audit Office recognised in 2001 that traditional procurement routes do not equal best value when it reported that: "Acceptance of the lowest price bid does not provide value for money in construction cost or life cost." Therefore during a review of best value procurement, consideration should be given to different procurement routes which (subject to State Aid rules) may involve establishing limited liability partnerships, framework agreements and partnering. Other less well known alternative contractual structures such as construction management and management contracting may also be considered. Allied to any such agreement may be a facilities management agreement dealing with hard and soft maintenance of the new asset by the contractor over a certain period of time.

Partnering contracts allow the provision of integrated design solutions by requiring the procurer, the contractor and the related consultants working on the project to work closely together, providing an integrated service to the employer using a wider skill base and a (hopefully) non-adversarial approach to negotiation.

Close co-operation of this nature can bring added advantages to a procuring authority, such as enhancing existing supplier relationships or maximising the opportunities to develop new relationships. Partnering also allows the end user



Mark Mattison

Mark Mattison is a partner and head of the Construction and Engineering team for **Eversheds North**

T: 0161 831 8209

E: markmattison@eversheds.com

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“The PFI approach to risk is to pass as much as possible to the private sector.”

to have an ongoing input into the design process. Additionally, it involves risk sharing and incentivisation against key performance indicators, which is not dissimilar to the PFI concept of performance related deductions for inadequate performance.

Additionally, why not build into the preferred procurement strategy concepts taken from PFI, such as risk transfer and employer requirements based on outputs rather than inputs? An output specification should be a clear statement of the procuring authority's requirements, which would ideally be a list of 'needs' as opposed to 'wants'. This allows the tendering contractors the opportunity to use their skills creatively and potentially provide more innovative solutions to the design, maintenance and operation of the asset but within an affordable price.

The allocation of risk is also key. Sir Michael Latham recognised this in his seminal report on the construction industry 'Constructing The Team' published in 1994 which stated: "No construction project is risk free. Risk can be managed, minimised, shared, transferred or accepted but not ignored." Selection of the most appropriate contract mechanism will allow effective risk transfer. The PFI approach to risk is to pass as much as possible to the private sector. Even if a non-PFI procurement route does not

allow such comprehensive risk transfer, identification and control of risk will help to reduce potential contractor claims for additional time and money and sources of conflict further down the line. Many standard building contracts allocate risk in different ways. Bear in mind though that the risk holder may charge a premium for retaining a particular risk, so cost of such retention may also need to be factored into the adopted procurement strategy.

As PFI project experience increases it has become apparent that it is best used for high value, high risk areas which have not previously been identified as possible areas for procurement and for which the employer would not have the capital available to invest upfront. However, PFI concepts can be utilised in whichever form of procurement route is used. By looking at best value over the whole life of an asset, a clear procurement strategy should be adopted which identifies what is required, together with the level of input desired by the relevant procuring authority. Addressing issues such as these in advance and creating a medium or long term procurement strategy can reap dividends, allowing further investment, more efficient community services, an enhanced reputation for the local authority and provide positive and sustainable long-term solutions. ■

Lazing on a sunny afternoon?

I always try to take a lot of holidays in August.

The kids are off school, the weather's nice (in theory!) and we don't usually organise events or training because so many people are away on holiday. As I sit here writing this article I'm shocked that August is a week away, I would have hoped to have a bit of a wind down, but this year has gone so quickly and so much has, and is, happening that my head is still in a bit of a spin with the amount of things going on in Local Government and Construction and Property.

One document that we had been waiting for since early in the year was the consultation for the proposed Best Value Performance Indicators 2005/6. This eventually came out early in July and I expected it to be very similar to the previous years' PIs in relation to construction and property, so I had a little thumb through to confirm that fact and I was mildly surprised to see a few more changes than usual, and a number of further questions raised.

For those of you who haven't read it yet the consultation is available at the following 'simple' website address: http://www.odpm.gov.uk/stellent/groups/odpm_localgov/documents/page/odpm_locgov_029637.hcsp

So OK, what is so different about these indicators?

Well, ODPM tell us in the introduction that this has been a fundamental review to take into account the new framework in which local government is reviewed and assessed, most notably the CPA process and they have clearly taken this opportunity to do just that. I haven't got time or space in this article to go into all of the consultation in detail but I will pull out a few snippets that should be of interest to us.

Most people regard existing BV156 - 'Access to services' and BV180 - 'Energy Consumption/Efficiency' as the two indicators relevant to us in terms of general Construction and Property. (Obviously there are specific housing and highways indicators which I haven't got time to cover in this article). As far as I can read indicator BV156 is not going to be changed,


which I feel is a bit of a shame. As it is not a very good indicator (to say the least) and there has already been a lot of lobbying to get the definition changed.

BV180 however, has been surprisingly omitted for 2005/6 as it largely "duplicates Property Performance Indicator 4" required to be submitted as part of the Asset Management Plan process. I am often asked whether it is likely that the 'AMP' indicators will be BVPIs in the future, and this move would seem to reinforce that view. What I can say is that ODPM are looking to include a small number of 'Property' indicators as BVPIs in the future but as yet they haven't been decided on.

OK, so now two new indicators that I think are relevant for construction and property related areas

The first, BV (X22) - Percentage of local authority area inspected for contaminated land during the year, which will definitely affect the asset managers within Local Authorities and is likely to have knock on effects for planning and construction.

Then we have, BV (X23) - Percentage of local authority heritage assets, which have been reviewed within the last five years as a proportion of all local authority heritage assets. This indicator aims to measure the "proportion of local authority heritage assets receiving regular review of condition with related maintenance and repair programmes (as a percentage of the total number of properties on a comprehensive register of the local authority's heritage assets)". By highlighting heritage assets in this way authorities may re-look at their priorities and possibly redirect funds/increase spend on related maintenance.

Finally, one of the introductory paragraphs refers to the development of procurement related PIs to accompany the National Procurement Strategy published last year. The proposed indicators can be viewed at <http://www.local-pi-library.gov.uk> and at 

To find out more about the **CIPFA BV&QF** please contact:



David Bentley
T: 07710 368711
E: david.bentley@ipf.co.uk



Chris Brain
T: 01275 878378
E: chris.brain@ipf.co.uk



Steve Dodsworth
T: 01446 771209
E: policy@scala.org.uk



Alan Tyler
T: 01438 718954
E: abtyler@nildram.co.uk

“We would strongly encourage local authorities to consider how these KPIs could be beneficially used.”

a later date there is likely to be consultation as to whether these should be incorporated as BVPIs. In the meantime ODPM state, “We would strongly encourage local authorities to consider how these KPIs could be beneficially used.”

Well you’ve got until 20th August to feed back on the consultation document and I always advocate that people should respond. If you don’t and you don’t like the indicators, then you are stuck with them and you can’t really complain!

We of course will be monitoring progress and feeding back on any outcomes. In the meantime, have a great summer (if we get one) and take the opportunity to have a laze on a sunny afternoon. Obviously taking a copy of the BVPI consultation with you so you can read through in detail and feedback by 20th August!

If you want to know more about the construction and property advisory service please contact me on 07710 368711 or e-mail David.Bentley@ipf.co.uk or Chris.Brain@ipf.co.uk. ■

Closing the Loop: Benchmarks for sustainable buildings

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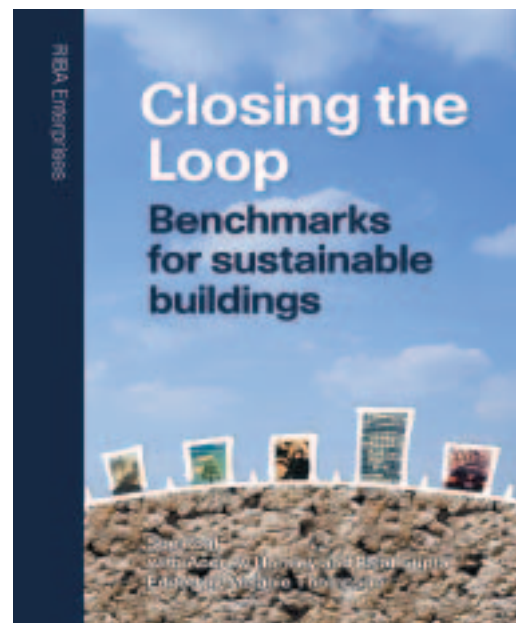
If we do not ‘close the loop’ between design and performance in use, we have no hope of steering the built environment towards a more sustainable future. ‘Closing the Loop’ describes the range of sustainable design options and the various tools and techniques that can be used to investigate their success, all with the aim of enabling a more holistic approach to what currently is a fragmented design development system.

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Our architecture specialist, Guy Source from Hays Montrose recruitment consultants, looks at some of the major trends and projects – both public and private – occurring nationwide.

Architecture is booming all across the UK and skills shortages are squeezing private practices to pay on average a 6% increase to salaries year-on-year. This is fantastic news for architectural professionals who have, historically been underpaid compared to their colleagues in surveying, planning and engineering. More good news is that consultancies have started to look after their permanent staff in an effort to improve staff retention. Over 80% of private architectural practices in the UK now have a company pension scheme and benefits such as healthcare insurance and company car options.

Growth can be put down to a whole host of reasons. A big factor is the huge amount of government investment in PFI and PPP ventures in education, transport and healthcare sectors. Another driving force is the acute shortage of affordable housing across the UK, especially in the South East of England.

Current government policy encourages the utilisation of inner city brown field sites. Due to this and the emphasis on sustainable development, we are seeing a lot of larger, mixed use schemes coming through, many of which require master plans to ensure that these vast expanses of land are developed in a fashion that creates a stable socio economic environment for both businesses and residents. There are many examples of such schemes, but some of the better-known ones include The Paddington basin, East Birmingham regeneration, Kings Cross and Cardiff waterfront.

In London, candidates with specialist experience seem to be the most in demand. Architects with large-scale affordable housing, healthcare or transport experience are in high demand, as are technical people such as Senior Technicians who are up to date with regulations and those really able to take a design and make it a reality. Landscape architecture is experiencing a huge demand, as inner city schemes are bound by more and more planning regulations relating to environmental concerns. The refurbishment of the London Underground network over the next six years is creating an unprecedented demand for

architects and technicians. Healthcare projects are also on the increase with major projects occurring all over the UK, for example Newcastle's £150m Royal Victoria Infirmary and a £380m hospital project in Manchester. There are currently over 25 architectural practices and multi-disciplinary firms working on PFI projects in the capital alone.

In Northern Ireland salaries are on the up to such a degree they are beginning to match central London in some instances. Multi-nationals such as Deloitte Touche and Pricewaterhouse Coopers are having bespoke offices built there, generating an increased workload for architects. Some of the Top 100 Architects are establishing offices in Northern Ireland with PFI projects and shopping centres driving up demand. In Belfast we recently placed an architect with five year's post qualification experience on a salary of £40,000!

Manchester and the North West of England are very busy with skills shortages across the board. Employees are very well looked after so they won't be tempted to go elsewhere and again, we have vacancies on our books for technicians and qualified architects. Many of the Top 100 Architects are opening or expanding offices in the region. Atkins and Aedas AHR are generating lots of work in the region. Again, salaries are increasingly becoming comparable to those in the South East, bringing benefits to potential employees due to the cheaper cost of living. This is creating a minor migration of long-term London-based workers up to the NW.

In Edinburgh and Glasgow nearly all of the local firms are recruiting. New office developments and PFI education projects are dominating the central belt of Scotland. The Midlands is also busy in retail, industrial and education sectors in particular.

From Northern Ireland to East Anglia, Scotland to the South West, architectural professionals are finding that there is enough work to keep them busy for some time to come. In summary, the Architectural sector looks to be in good shape, and, at present, shows no sign of flagging!



Guy Source

Guy Source is
Section Manager,
Architecture at Hays
Montrose

T: 020 7931 9310

E: guy.source@hays.com

22 Green specifying



Mike Winward

Mike Winward is an architect and member of the technical author team at NBS.

His responsibilities include the integration of sustainability issues into the NBS specification products.

T: 0845 456 9594

E: sarah.hutton@theNBS.com

W: www.theNBS.com

Mike Winward describes the NBS approach to sustainability

NBS and green specification

NBS has been integrating green issues into their specification products for several years. The catalyst for this was the publication of the NBS Greening Report in 1997 (available at www.theNBS.com).

Green issues appear in the NBS in various ways:

- In upfront general guidance to work sections, under headings 'Environmental issues' and 'Health, safety and the environment'.
- In clause guidance, which deals with particular product attributes and cross-refers to general guidance where appropriate.
- In the clauses themselves.

The guidance aims to draw the attention of specifiers to the main issues associated with a particular product or method of construction and direct them to further key sources of information.

Clauses are what usually interest specifiers wanting to meet the green agenda for their project. Sometimes NBS has been asked for the green version of its specifications or for all green clauses to be identified. This presents problems because a product clause may often include a green attribute alongside a more conventional attribute. In addition, of course, green agendas are always project specific – a product that satisfies the green agenda for one project will not necessarily satisfy another. Just to illustrate the point, NBS clauses can be categorised broadly into those that have a recognisably 'green aura' and those that are 'neutral' until the specifier takes some action.

'Green aura' clauses are readily identifiable by their subject or heading, e.g. rainwater/ greywater recycling systems, composting toilets, cellulose fibre insulation, nonhydraulic lime:sand mortar. 'Neutral' clauses are those awaiting decisions on clause inserts (e.g. UK sheep's wool insulation or mineral fibre insulation?) or decisions on clause selection (e.g. timber windows or plastics windows?) to attain the 'green aura' in the context of the project specification.


It is easy to get the impression from some designers and organisations that green specifying is something special and set apart from 'conventional' design and specification processes. Clearly, this is not the case. Green issues have to be integrated with all the other performance requirements to be considered by the project team such as fire, strength, durability, maintenance, health and safety and, of course, cost.

Integration of green issues within the design and specification process is essential and it starts way back at the project appraisal and briefing stage. This is where opportunities for greening must be raised, unenlightened clients persuaded and a commitment forged. This commitment may, for example, be the pursuit of a BREEAM 'Excellent' rating for the project.

Where green specifying is different from conventional specifying, is in the need to make decisions about the green credentials of products and materials and this is where things can get difficult! How do you compare the credentials of one product or assembly against another? Where do you go for information? What is a green product anyway?

Sourcing information

Whereas whole life costing (WLC) of products and assemblies is relatively straightforward, dealing with the environmental impacts using life cycle assessment (LCA) is more complex. Thankfully, for some products and assemblies, the complexities of LCA are simplified by the use of single score eco-rating schemes developed by the BRE (Ecopoints and the green A/B/C rating system). Note the word 'some' – relatively few proprietary products have been independently assessed to date under the BRE Environment Profiles methodology, from which Ecopoint scores are derived.

Eco-labelling schemes, such as EU Eco-labels, have a limited range of coverage for products associated with building construction. Thus for many products, decisions on selection have to be made without 

the benefit of an independently derived green scoring or rating system. There are other information sources and databases to tap, for example those produced by the National Green Specification (NGS) and the Association for Environment Conscious Building (AECB). Here, product data may include Ecopoints where the product has been rated or, where it has not been rated, the best available data on its green credentials. However, where there is no independent product assessment, care is needed with manufacturers' claims about the green credentials of their products. For example, it may be necessary to question how far the product has had to travel (Scotland or China?) or what exactly the nature and proportion of its recycled content is. Common sense is frequently called upon.

Don't forget that 'conventional' product certification schemes such as Kitemarking, CE marking and Agrément certification can include green attributes. For example, certified products may include waste content either in the form of recycled materials or in the form of secondary industrial by-product waste such as pulverised fuel ash (pfa) in cements and flue gas desulphurisation (fgd) gypsum in plasterboards. Of course, as more and more European product and materials standards include green attributes such as recycled content and volatile organic compound (VOC) emissions, green specification will become more straightforward.

Any discussion on green specification and the difficulty of establishing green credentials for products will often come round to the example of timber and

timber-based products. Despite the commitment from the timber trade, environmental organisations and the various certification schemes, obtaining timber from certified legal and sustainable sources is still not a straightforward process. For one thing, certification requires a chain of custody to be established and this is quite a challenge. Also, there are only limited supplies of certified timber which often makes specification statements like 'all timber to be obtained from a certified source' unrealistic and difficult to enforce. However, there are actions that the specifier can take. For example, it is possible to seek alternative assurances about the legality and sustainability of timber sources, from suppliers who have adopted an environmental purchasing policy.

For recycled materials or reclaimed components there are several schemes providing guidance and sourcing information. These include BRE SMARTWaste and the Waste Recycling Action Programme (WRAP), which deals with, for example, recycled aggregates and glass. Finally, there is the issue of materials and components arising from demolition and from construction. Ownership is the key issue for determining what is to be done with materials and components arising from demolition. This is a contractual matter. The specification must identify materials and components that are to remain the property of the employer and state what is to be done with them. The management of construction waste is the contractor's responsibility. However, the design team can influence best practice by the use of, for example, method statements at tender stage or by appropriate pretender selection procedures. ■

“Integration of green issues within the design and specification process is essential and it starts way back at the project appraisal and briefing stage.”

from the Commission for Architecture & the Built Environment



Abigail Lee

**Regional Programme
Officer**

T: 020 7960 4897

E: alee@cabe.org.uk

Budgeting for Sustainability

It is one of CABE's core beliefs that any procurement process can deliver good quality design, and that an early investment in design quality will generate added value for all involved. With the government undertaking the largest public sector building programme for a generation it is essential that construction projects deliver whole life value for money, a concept which embraces environmental, social and long term economic benefits, that is to say true sustainability.

The starting point must be for public sector clients to stop letting tenders on a lowest cost rather than best value basis. A process that begins with clients considering whole life values and sustainability issues when developing their budget, i.e. at OGC Gateways 0-1.

As has been repeatedly acknowledged by both the Treasury and the Audit Commission, sound creative design is an essential ingredient in achieving value for money in construction, which means much more than just delivering a project to time and cost. A good building must also contribute to the environment in which it is located, deliver a range of wider social and economic benefits and be adaptable to future uses.

There is a host of evidence that demonstrates the direct impact of design quality on public service delivery. For example, classrooms with plenty of natural daylight help raise educational achievement and an external view from a hospital window will greatly improve the quality of a patient's experience and may even reduce the length of that patient's stay.

The ultimate aim is to deliver construction projects that meet the requirements of the client and all stakeholders, particularly the end users. An early investment in design quality can make service delivery significantly more efficient and will enhance the working environment for all those who use our public buildings.

Over a building's lifespan, often 30 years or more, the initial capital cost (bricks and mortar) will be tiny in comparison to the cost of delivering the service. The Office of Government Commerce calculates that construction costs represent approximately 2-3% of total life time costs, while the cost of providing the service is at least 85%. While design accounts for less than 0.3% of the lifetime costs it has a profound effect on that 85%.

While a lot of rhetoric surrounds the concepts of sustainability and whole life value, there is a wide range of practical guidance available to enable the public sector client to successfully achieve their objectives, within budget and on time. Budgeting for Sustainability, a joint BRE /CABE website, core funded by the DTI's Partners in Innovation programme, provides a focused information resource to aid clients and their partners assessment of the economic, social and environmental benefits of an investment in good design.

Covering all forms of procurement, the site provides a searchable reference database that will signpost public sector clients to methods of, and guidance on, budgeting for sustainability. Documents are ranked in order of usefulness and, where appropriate, the database links to web based versions of documents. The site also provides details of the overarching issues with regard to delivering sustainability, including:

- A comprehensive list of sustainability issues at key stages of the budget setting process
- Strategic definitions of sustainability
- Details on setting and meeting targets and complying with statutory requirements
- Advice on selecting a project team that will deliver sustainability

Considering whole life value is particularly important for those involved in the Private Finance Initiative. PFI is one of the most complex forms of public procurement, bringing together a range of issues that are generally separated in more traditional procurement methods. When you consider this and the fact that most clients involved in a PFI scheme will never have dealt with a large scale capital procurement project before then it seems little wonder that design quality and value for money are at times compromised.

Regardless of procurement route, the consideration of whole life values and the acknowledgement of the added value of good design will enable us to deliver high quality, sustainable public buildings that benefit staff, users, visitors and the wider community alike.

Budgeting for Sustainability can be found at:
www.bre.co.uk/sustainableprocurement



News from SCALA²⁵ (Scotland)

SCALA (Scotland) held a general meeting for members on 11 June 2004 at the Falkirk Wheel.

This annual gathering differs from the more formal AGM in that it aims to encourage members from all over Scotland to get together, combining business and pleasure in a sociable and stimulating setting. This year, we met at the Falkirk Wheel and were very fortunate to have John Marshall from RMJM Scotland along to give us an illustrated presentation of the design and construction of this revolutionary Millennium project.

The business agenda was chaired efficiently by Iain Connelly, aware that many of those present (we were delighted to welcome many retired members) were keen to move quickly to the more pleasurable aspect of the meeting! Both Iain and Liz McLean had attended the SCALA Study Day on 'Sustainability and Practice' in London in May and gave a verbal report on this wide-ranging and stimulating event. SCALA (Scotland) area groups have identified sustainability as one of the main areas to progress during the coming year.

It is intended to describe how Scottish Local Authorities are addressing the issue of sustainability in design and construction in a future article. Meantime, the Scottish Executive has granted £20m over two years, to Local Authorities, to kick-start energy conservation. A meeting was held on 23 June to explain the criteria which would determine how this should be spent. The funding is designed to provide investment for 'spend-to-save' projects, with the savings re-invested to provide a budget for ongoing projects. It is good news and demonstrates the practical way in which the SE is supporting this agenda.

Other ongoing issues include the review of the Schools Estate Asset Management Plans prepared by all Local Authorities by the end of 2003. This area will continue to be a major focus for us, working closely with the SE, to ensure that the SEAMPs are useful and dynamic documents, reflecting the particular needs and objectives of individual authorities. SCALA (Scotland) has been working with other professional bodies through the Federation of Property Societies, convened by Alan Tyler, and this group has been a valuable network for sharing information and identifying common issues.

John, meanwhile, sat patiently through our business meeting and even proclaimed that he found it interesting, although the subject matter must have seemed far removed from the challenge of designing of the Falkirk Wheel!

With the aid of archive illustrations, we were treated to a historic overview of the concept for such a boat lift. It became clear that this ingenious design had quite a simple brief - to join the Union Canal to the Forth & Clyde Canal which was 35m below, as simply and quickly as possible, thus restoring navigability across Scotland. Until they were dismantled in 1933, the 2 canals been joined by 11 locks over a distance of 1.5km!

Judging by some of John's illustrations, the designers obviously had fun at the concept stage, competing with one another to invent a structure which would be both functional and dramatic.

Those members who took a boat trip on the wheel described the drama of the journey along the upper aqueduct which ends in mid air, floating into the upper gondola which was lowered, perfectly level, to the basin below, while the second gondola was lifted up opposite. It is quite a spectacular sight and best viewed from within the visitor centre through the sloping glass roof directly below the Wheel! It is well worth a visit to this unique creation.

The next SCALA (Scotland) Executive meeting is due to be held on 6 August 2004 in West Dumbartonshire, hosted by the West Area Group. We are delighted to welcome Nigel Badcock, SCALA President to this meeting.

Liz McLean, Secretary SCALA (Scotland) ■



Falkirk Wheel

“It is intended to describe how Scottish Local Authorities are addressing the issue of sustainability in design and construction.”

26 Sustainability works

Sustainability works

T: 020 8675 0369

F: 020 8675 5786

E: susan@sustainabilityworks.org.uk

Sustainability works - a brief Introduction

Sustainability Works is a web based application designed to provide a framework for:

- writing policies for sustainable housing development and implementing sustainable strategies on individual projects.
- developing briefs for sustainable housing developments and for bidding for land and finance.
- assisting Local Authority planning and housing departments to establish standards and targets.
- facilitating communication with consultants during design development and construction.
- preparing an EcoHomes prediction for projects.

Funded by the Housing Corporation, it was developed in association with the BRE, Sustainable Homes and the NBF. It is based on a substantial library of expertly researched best practice information with costs and illustrated with case studies. It includes an EcoHomes rating prediction tool and Housing Quality Indicators, (HQIs).

Launched in July 2002, it has over 1,000 registered users.

The team offers training and consultancy services to complement the use of the application. It is also developing a Better Buildings website for a Local Authority. This is extending the use beyond the housing field to include industrial, commercial and retail development and urban regeneration and to include a regional dimension.

We are also in discussion with the Housing Corporation to fully integrate HQIs into Sustainability Works and for HQIs to become the housing design and sustainability benchmark for the public sector, replacing the Corporation's Scheme Development Standards, SDS.

For further information see www.sustainabilityworks.org.uk.



Sustainability works - training

Featuring the New EcoHomes Upgrades and EcoHomes Prediction Tool

Half day, hands on courses, subsidised by the Housing Corporation, are being held at:

- 14th September 2004 - Newcastle
- 21st September 2004 - London
- 12th October 2004 - London
- 21st October 2004 - Birmingham
- 9th November 2004 - Manchester
- 16th November 2004 - London

These courses are suitable for:

- housing association development, regeneration and policy staff
- local authority officers involved with housing developments
- architects and other consultants working on housing projects
- housing developers and contractors

The training courses will show you how to use the web tool to:

- write a sustainable development policy for your organisation
- obtain predictions for EcoHomes ratings for projects
- prepare Sustainability Toolkit reports as required by the Housing Corporation.
- set sustainable development targets for projects and monitor their implementation.

Only £125 + VAT per person for Housing Associations or £175 + VAT for non HA per half day course

There are three easy ways to reserve your place:

T: 020 7422 1777

E: contact@sustainabilityworks.org.uk

or book on-line

W: www.sustainabilityworks.org.uk/training



The role of the ARB ²⁷

Robin Vaughan sets out his view of the role of the Architects Registration Board in the context of the new Architects Act

The ARB has a responsibility, laid down in statute, to prescribe qualifications that will enable people to register with the Board so they may practise using the title 'Architect'. When the Architects Act was going through Parliament, it was remarked in debate that the Board should concern itself only with the prescription of qualifications, and should not seek to replicate the RIBA's education work. Furthermore, Lord Ullswater, a Minister of State at the then Department of the Environment, wrote to all stakeholders in the process saying that the intention of the legislation was for the ARB to be responsible for setting the criteria for registration. Connoisseurs of statutory interpretation are generally in agreement that what is said in Parliamentary debate - or in correspondence - is not to be relied upon. It is the legislation alone that counts. Nonetheless, such remarks are interesting.

The ARB does not wish to be involved in education. United Kingdom Universities, which have a good reputation, are the institutions that educate future cohorts of architects. The Board has no desire to replicate or duplicate the acknowledged expertise of those schools, neither does it give instructions to the schools on how they are to teach.

The other players in architectural education are the charter bodies to which many architects belong. These charter bodies, and in particular the RIBA, are acknowledged as having a responsibility for education. All professional bodies have such responsibilities, and discharge them in a number of ways. A professional body will draw upon the expertise of its members as to the challenges that face them within the environment in which they work. That input allows a professional body to understand what its members need to do in the future, so as to continue to provide the expertise relevant to the area of their activity. An inability to do this will lead to the demise of any profession. A professional body will therefore publish research and monographs relating

to the skills its members need. It will offer prizes to stimulate excellence at an educational level. It will make education grants and provide bursaries. It will have an ongoing dialogue with the universities it relies upon for the education of its future members. Its members will involve themselves in teaching within those universities to pass on knowledge and experience to future members of the profession. Members of the profession will also enable students to have direct experience of practice by working in their offices. Many of these are activities undertaken by, for example, the RIBA; none of them are activities undertaken by the ARB.

What the ARB does is to keep a register of those entitled to use the title 'Architect'. In order to decide whether a person is fit to have that privilege, the ARB ensures that those coming onto the Register meet the required minimum standards. The ARB cannot do this as a matter of whim; it must do it properly and it must do it transparently. To achieve this the ARB takes a few simple steps.

First of all, it determines the minimum standards that a qualification must deliver if holders of it are to be allowed to register. To put this into effect, the ARB publishes 'Prescription of Qualifications: ARB Criteria'. This document sets out the minimum levels of awareness, knowledge, understanding and ability that students must acquire at key stages in the process of qualifying as an architect. The underlying framework for the criteria is found in Articles 3 and 4 of the European Union Council Directive 85/384/EEC, more commonly known as the Architects' Directive. It should be noted that in putting together these criteria, the ARB consults extensively with, for example, the schools of architecture, the professional bodies, and other stakeholders in architectural education. The ARB and the RIBA have worked together to ensure that they hold criteria which are identical.



Robin Vaughan

Robin Vaughan is the Chief Executive and Registrar of the ARB which he joined in 2000. Before that, he worked in the accountancy and legal professions.



28 The role of the ARB

“The manner in which a school of architecture chooses to do that is a matter left for the school itself. The schools are, after all, mature institutions with considerable experience.”

Having set out its criteria, the ARB then has to determine whether a particular school of architecture is able to deliver them. The method by which the ARB does this is described in its publication, ‘Prescription of Qualifications: ARB Procedures’.

This document came together after wide consultation. In essence, the procedures say that the Board must be confident that a school of architecture is meeting the criteria. The manner in which a school of architecture chooses to do that is a matter left for the school itself. The schools are, after all, mature institutions with considerable experience. That said, an appendix to the procedures was inserted at the request of the schools to describe the types of document that a school might put forward in order to give the Board that confidence.

The Act requires the Board to make the prescription decisions itself. It is not allowed to let others make the decisions and then simply endorse them. So, for example, a report by the RIBA, although of value and use to the Board, cannot of itself determine the decision the Board will make. The Board’s concern lies with minimum threshold standards. The RIBA, whilst no doubt being interested in these, has an interest in architectural excellence. While this is not a matter of disinterest to the Board, it is not something for which it has a statutory responsibility. Furthermore,

if the ARB is in favour of prescribing a new qualification, it will consult the charter bodies. This is not only sound sense, but also a requirement of the Act.

The foregoing sets out what the Board does and illustrates why it does it. It also demonstrates that while the ARB and the RIBA share a common interest, there is no duplication of their specific responsibilities. This is not to say that where interests are held in common there might not be some overlap, but in the areas where this occurs, both houses have sought to establish sensible procedures for their management. Colourful reporting of all this, fired by ill-informed quotes by those who wish to undermine the Act – and indeed, who wish the Act had never existed – has certainly done the profession a disservice. The ARB is deeply conscious of this, and continues to put the facts before members of the profession. I am grateful to have been allowed to do so in this article. Prescription offers an independent assurance to those who use architectural services that the education underpinning those services is fit for the purpose and provides them with the protection they expect from professional persons. In the end, I hope an understanding of what has been achieved to safeguard the reputation of architects will win the support of the entire profession. ■


I enjoy eating a good dinner! Particularly in a hostelry tucked next to a links course after a good day's golf.

More particularly with good wine and even in the company of a solicitor who is a more accomplished golfer than I. So it was that I found myself recently in a conversation in Norfolk which touched on dispute resolution nationally. The solicitor was not impressed by adjudication. He felt that the process was too truncated to allow full consideration of the issues, basically, that it resulted in 'rough justice'. Extending the period beyond the basic 28 days did not offer a real improvement. Arbitration was preferable, as it allowed a full examination of the dispute, but was expensive and didn't offer any advantages over the courts in his opinion. This opened a whole range of issues which we touched on, to the extent such discussion was possible after having been battered for the afternoon by a force seven gale blowing off the Wash.

His point concerning the courts is a good one, but not the full story. Before court procedures were reviewed by Woolf, and before adjudication, the courts were a very lengthy and costly way of resolving disputes, usually with a lengthy wait before the case could be heard. With the advent of adjudication and mediation waiting lists are shorter and cases going to court can be heard sooner. With the advent of the new procedures, following the pre-trial protocol often results in settlement before reaching court. Also, the courts now often insist that a good attempt at settlement through mediation has been made and failed before the court will hear the case. So, what we now actually have is a range of dispute resolution methods, some of which may be directed by the courts, rather than proof that litigation is the best way of resolving a dispute. Settlement in the run up to court or through mediation is necessarily a result of negotiation rather than a thoroughly argued and detailed examination of the issues – rough justice? As I have mentioned in previous articles, settlements are often arrived at after the 'threat' of adjudication or in the early stages.

Therefore, we have a menu of methods of satisfactorily resolving disputes – including litigation, although that remains an expensive option. My golfing solicitor preferred litigation, but I suspect lawyers prefer operating in a lawyer controlled framework – perhaps concerns over rough justice are really concerns over operating in another professions' technical framework? I have previously referred to the need for adjudicators to have a good understanding of the law, but is that best achieved by a technical professional with a good understanding of the law or by a lawyer with an understanding of the technical issues? I believe the answer inevitably depends on the nature of the case in question – most applicants to adjudication nominating bodies state a preference for an adjudicator with specific experience or of a particular profession, usually QS or Architect.

It's a matter of matching the horse for the course. Getting the right dispute resolution method for the dispute. Getting the right type of dispute resolver in the case of mediation or adjudication. I was disappointed that the low handicap golfing solicitor, who clearly had a range of shots in his locker, failed to see the need for a range of techniques to match the dispute – matching the shot to the problem! Furthermore, the range of methods may increase. A 100 day arbitration is currently being developed and, with many adjudicators having a background in arbitration but now used to the fast-track adjudication process, may be a useful addition to the spectrum of resolution techniques. The tuning of that spectrum will be assisted by the review of adjudication recently commissioned by government – but perhaps arbitration itself needs a review, as it is currently perceived to be as expensive as litigation and, therefore, almost redundant in this country.

Then the other architect joined in, also an arbitrator and an expert in programming and evaluation of delays and loss and expense. He asked what we thought was arguably the underlying reason for all 



Rob Tate

E: rob.tate@ntlworld.com


Rob Tate is an architect, a Past President of SCALA and a former Head of Property Services at the London Borough of Enfield. He is a construction consultant, expert witness and a member of the President's Panel of Adjudicators of both the RICS and Chartered Institute of Arbitrators.

“How risk is managed leads to consideration of the best management structure for running the project, including the optimum approach to dispute management.”

building contract disputes. His answer was the failure of most standard forms of contract to address change control and, more specifically, to correctly apportion the risk of change/disruption. His point was that the JCT standard form, for instance, lists 19 ‘Relevant Events’ which entitle the Contractor to an extension of time – the Employer bears those 19 risks in terms of time if not expense, albeit that ‘time is money’ (or, perhaps, more important than that when one is trying to get a school open for the start of the school year!). He bears the risk for those things which no-one has control over, eg ‘force majeure’ and weather. He bears three risks related to non-availability of labour which, arguably, the Contractor is better placed to manage – ditto those related to statutory undertakers and local authorities. He, understandably, bears the risk of the effects of his own changes, but should that also include the actions of nominated sub-contractors just because he selected them?

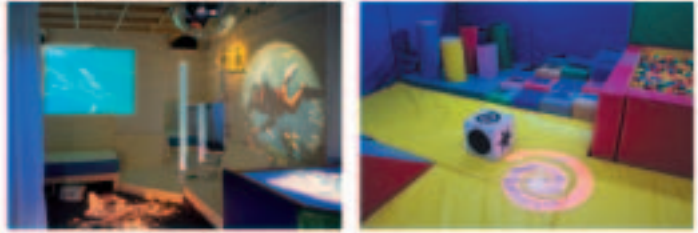
All that seemed to me to be going over very old ground. The main standard forms have been established a long time and have been refined over the years to strike a fair balance within the industry. That is particularly true of JCT with its collegiate structure representing all the major industry groups.

However, it makes you think, doesn’t it? How often do you identify, examine and evaluate the risks in a project? How often do you tailor the design information you prepare for the BoQ or the start on site to fit the time available – and do you do so having identified the probable/possible consequences and evaluated them against other options, for example a longer programme allowing more full, better quality information at the start with consequent less risk of change? Whilst the standard forms may have struck the optimum balance do we take that balance of risks into account in the overall management of the project?

How risk is managed leads to consideration of the best management structure for running the project, including the optimum approach to dispute management. Discussion of the relevant merits of project managers, dispute resolution boards and dispute managers is for another day. Suffice to say that the golfing solicitor didn’t think much of those either. Perhaps solicitors should run building projects. For my part I shot the lowest gross score the following day and my name has joined Sir Giles Gilbert Scott and E Lutyens on an ancient piece of silver ware! I had a good dinner! 

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Scalanews is published by SCALA Ltd. (Reg. No. 2527462) with the aim of
Serving Construction & Architecture in Local Authorities.

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