

Guideline Leaflet LB03: Professional Advisors and Applications to the Listed Buildings Advisory Committee

A guide for churches seeking to appoint a professional adviser to offer specialist advice on maintenance or alterations to their listed building. Remember, the listing applies to the whole of the building, its grounds and fittings, not just to the features mentioned in the list description.

This Guideline Leaflet is regularly reviewed and updated. To ensure that you are using the most up to date version, please download the leaflet from the BUGB website at www.baptist.org.uk/resources

The date on which the leaflet was last updated can be found on the download page.

LB03 Professional Advisors and Applications to the Listed Buildings Advisory Committee

INTRODUCTION

This is one leaflet that is relevant to churches that have a listed building. The full list is:

- LB01 *Introducing the Listed Buildings Advisory Committee*
- LB02 *Applying to the Listed Buildings Advisory Committee*
- LB03 *Professional Advisors and Applications to the Listed Buildings Advisory Committee*
- LB04 *Listed Buildings Application Form*
- LB05 *Listed Places of Worship Grant Scheme*
- LB06 *Looking after your Church Buildings*
- LB07 *Building Materials and External Fittings in Listed Buildings*
- LB08 *Furnishings in Listed Church Buildings*
- LB09 *Photographic Recording*
- PC03 *Five Year Inspection Reports – Church Buildings*
- PC04 *Redeveloping or Altering Church Premises*
- PC05 *Construction (Design and Management) Regulations*
- L12 *Churches and Disability Issues*

LISTED BUILDINGS AND CHURCHES

Some of our Baptist church buildings are 'listed'. Being listed means that they are subject to statutory control, because they are of special architectural or historic interest. The listing is graded as I, II* or II, depending on the building's deemed importance, with Grade I and II* applying to the most important properties.

If a building is listed that listing applies to the whole of the building, its environs and fittings, not just to the features mentioned in the list description.

Those entrusted with responsibility for listed buildings will require specialist advice for both day-to-day repairs and maintenance and when alterations, of any nature, are contemplated.

Whilst acknowledging that any church can make a case for using a particular person to advise in this way we are attempting, in these Guidelines, to set out what we consider to be good practice, the likely qualifications and characteristics of such a person and how they may be appointed. General guidance about appointing an advisor is included in the leaflet PC04 *Redeveloping or Altering Church Premises*, but for a listed building specialist advice is needed.

QUALIFICATIONS AND CHARACTERISTICS OF PROFESSIONAL ADVISORS

Professional

It is possible that people associated with the church or the neighbourhood will have gained some experience in working to maintain the church, or with similar buildings.

We strongly advise however that an independent **professional** advisor be appointed to advise the church on building matters and would expect that person to be a Registered Architect, a Chartered Engineer or a Chartered Building Surveyor, who can demonstrate knowledge and experience in working on listed buildings.

The prospective consultant should be able to demonstrate a reasonable level of post qualification training and conservation or listed building experience, although this may not necessarily relate to church, or free church work. In the case of surveyors the Royal Institution of Chartered Surveyors' conservation accreditation would be a suitable demonstration of such qualification. Membership of appropriate architectural historical societies and conservation bodies indicate a person's suitability. Please refer to list in our leaflet LB01 *Introducing the Listed Buildings Advisory Committee*.

When considering an appointment, particularly that of the leading Consultant for a proposed project, it is quite reasonable to ask for details of their professional qualifications and experience. References from other clients for whom the applicant has worked may, quite reasonably, be taken up prior to an appointment being made.

There is no reason why a shortlist of suitable people may not be drawn up for consideration and interviewed by a small panel of informed church members.

Independent but Sympathetic

We believe that it is best for professional advisors to be independent of the church fellowship. Such a person can then balance the wishes and instructions of the membership with the conservation interests and history of the building. The appointed professional will need to understand and be sympathetic with the mission and work of the local church but that does not mean that they have to be a Baptist. The professional advisor will work with a church, offering good advice and asking questions. If the church is considering alterations to the building a Professional Advisor will be offering ideas so that the best possible proposals are developed.

Insured

It is essential that all those appointed to advise on work on a building, whether it is listed or not, should carry Professional Indemnity Insurance. This cover should be appropriate to the value of the building and of the proposed work and as a guide should normally be at least £0.5 million. Evidence of this cover should be checked by the local church.

THE LEADING CONSULTANT AND OTHERS

The leading consultant, being the one to whom all primary instructions are given and who will brief and liaise with the others, may, particularly on larger projects, recommend the employment of other consultants such as structural, heating and electrical engineers, quantity surveyors, testing experts, materials analysts etc. Where possible similar criteria to those adopted for the appointment of the leading consultant should apply to such sub-consultants.

On appointment it must be made clear to each consultant by whom they are employed, church or leading consultant, and who will pay them (and when!).

APPOINTMENTS, FEES AND EXPENSES

It is important for all parties to know what professional service/s are to be provided and by whom. This and the basis of any remuneration should be clearly laid down, agreed and confirmed in writing.

For major projects stage payments should be agreed as should the period by which accounts must be settled. This period is deemed to be within thirty days of submission unless agreed otherwise. Any dispute as to the validity of a fee account must be challenged within twenty one days.

Professional fees are often charged as a percentage of the value, or estimated value, of the proposed work and are payable up to the relevant stage even if the job is stopped. Alternatively fees may be charged on a time basis or a fixed fee agreed.

Hourly rates, which will vary depending on the experience of the person concerned and the area in which the work is to be carried out, must be agreed beforehand and it is wise to ask for monthly accounts to avoid a shock later on.

Expenses for travel, printing of documents etc are normally charged separately but can be included within the percentage or hourly rates. Again this should be agreed before an appointment is made.

You are also reminded of the need to comply with the Construction (Design & Management) Regulations. Further information can be found in PC05 *Construction (Design & Management) Regulations and Baptist Churches*, issued by the Baptist Union Corporation Limited (or in the equivalent

information supplied by the Trust Corporation who are the church's custodian trustees).

All professional fees and expenses must be included in the budget for the Scheme.

INSTRUCTIONS AND BUDGETS

It is important that the church's requirements are clearly explained to the Consultant/s who could be involved in the preparation of the brief. The Consultant/s will need to be able to offer advice on a Statement of Items of Conservation Significance and/or a Conservation Plan.

It is easy to assume that because the local church members and the Charity Trustees have discussed matters over many months that the consultants can mind read their requirements! Remember to take time to explain your ideas, your requirements and your activities to your advisors.

These instructions and requirements (the church's brief) are best written down and then explained orally. This will help to ensure good communication, particularly where a large scale project is contemplated. The consultant/s can then clarify things by questions at a meeting. It can be helpful to then ask him/her to confirm their understanding of the brief. If any confusion has arisen, it should show at this stage.

Once the brief agreed has been set out the temptation to alter it should be resisted, unless the church realises that it has made a serious mistake. Changes of mind can cause delays, put the consultant/s to a lot of additional work and cost a lot more in fees.

The church's budget, method of funding and business plan should be considered and discussed with appointed consultant/s. If it is unrealistic they should be encouraged to say so and the scheme amended accordingly.

The church must be faithful but realistic in its financial planning, remembering to budget for both professional and statutory fees, VAT, finance costs etc. Similarly it must be made clear to the Consultants that there is a budget to which they must adhere. Suitable contingency provision must be made in the church's budget and in the building contract. It is one thing to tell everyone that there is no more money but contractually the church is committed to pay a builder, whatever the budget.

For general advice on these matters please refer to PC04 *Redeveloping or Altering Church Premises*, issued by the Baptist Union Corporation Limited (or to the equivalent information supplied by the Trust Corporation who are the church's holding trustees).

REGULAR SURVEYS – FIVE YEAR REPORTS (QUINQUENNIAL SURVEYS)

The Listed Buildings Advisory Committee strongly recommends that each church initiates a detailed and comprehensive survey of the condition of the building every five years. This five yearly inspection (sometimes called a Quinquennial Survey) should be carried out by a suitably qualified and experienced person. This should be a personal appointment, albeit the person may well be a member of a professional practice.

The survey should include a comment on every element of the building, regarding its condition and any maintenance requirements within the next five-year cycle. Recommended maintenance and repairs should be scheduled in order of priority and a budget estimated.

Subsequent surveys should clearly list those works that should have been carried out in the past five years, stating whether they have been done or not. Delays in maintenance work can lead to a rapid deterioration of the fabric and to greatly increased costs in the future.

Such reports can greatly help the church in setting priorities and budgeting for repairs and alterations and are of assistance to the Listed Buildings Advisory Committee in considering the effectiveness and appropriateness of proposals put before them. This is why a Five Year Survey Report is required with the application papers.

It can also assist the church's planning of works and sometimes lead to economies. If the survey

requires work to the ceiling of a tall building and the members wish to install a new lighting system there is obviously a saving in access and scaffolding costs if the two are done at the same time.

It should be made clear that the person carrying out the quinquennial survey may not necessarily be the person appointed to advise on the subsequent works to the building.

There is a guidelines leaflet PC03 *Five Year Inspection Reports – Church Buildings*

USEFUL ADDRESSES See LB01 *Introducing the Listed Buildings Advisory Committee*.

Association Trust Company	Contact
Baptist Union Corporation Ltd East Midland Baptist Trust Company Ltd	Baptist Union Corporation Ltd Baptist House PO Box 44 129 Broadway Didcot Oxfordshire OX11 8RT Telephone: 01235 517700
Heart of England Baptist Association	Heart of England Baptist Association BMS Birmingham 24 Weoley Park Road Selly Oak Birmingham B29 6QX Telephone: 0121 472 4986
London Baptist Property Board	London Baptist Association Unit C2 15 Dock Street London E1 8JN Telephone: 020 7692 5592
Yorkshire Baptist Association	17-19 York Place Leeds LS1 2EZ Telephone: 0113 278 4954
West of England Baptist Trust Company Ltd	West of England Baptist Trust Company Ltd Little Stoke Baptist Church Kingsway Little Stoke Bristol BS34 6JW Telephone: 0117 965 8828

This is one of a series of *Guidelines* that are offered as a resource for Baptist ministers and churches. They have been prepared by the Legal and Operations Team and are, of necessity, intended only to give very general advice in relation to the topics covered. These guidelines should not be relied upon as a substitute for obtaining specific and more detailed advice in relation to a particular matter.

The staff in the Legal and Operations Team at Baptist House (or your regional Trust Company) will be very pleased to answer your queries and help in any way possible. It helps us to respond as efficiently as possible to the many churches in trust with us if you write to us and set out your enquiry as simply as possible.

The Legal and Operations Team also support churches that are in trust with the East Midland Baptist Trust Company Limited.

If your holding trustees are one of the other Baptist Trust Corporations you must contact your own Trust Corporation for further advice. A list of contact details is provided above. If you have private trustees they too should be consulted as appropriate.

Contact Address and Registered Office:

Support Services Team, Baptist Union of Great Britain, Baptist House, PO Box 44,
129 Broadway, Didcot OX11 8RT
Tel: 01235 517700 Fax: 01235 517715 Email: legal.ops@baptist.org.uk
Website: www.baptist.org.uk Registered CIO with Charity Number: 1181392

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