

BIA Audit process review (28th April 2017)

Notes and Actions

Summary

The framework agreement with Campbell Reith to provide independent, professionally qualified audits of Basement Impact Assessments has been in place for 2 years. The working Terms of Reference (TOR) for their engagement (14th May 2015) sets out the details of the audit process. The TOR anticipates that the BIA audit process would be reviewed from time to time to ensure it stays relevant, efficient and effective. Now that the process has become well embedded in the planning service work practices it was decided to hold a review which focussed on the outcomes of the process so far. In advance of the review planning officers who have experience of commissioning BIA audits were surveyed for feedback on the process. The results are summarised in Appendix A. The responses come from planning officers who have dealt with BIA audits over the past 2 years and represent a good cross-section of knowledge and experience across the overall total of BIA audits.

The general response from surveyed officers was that the initial stages of the audit tend to be timely, predictable and well managed. Officers are supportive of Campbell Reith's approach to early commentary on whether key issues are likely to arise. However in the cases where further iterations of review are required, for instance to include revisions, the timescales for completing the audit become less predictable. The reasons for this are many and varied, but it was agreed that the use of a BIA pro-forma would likely reduce the scope for omissions, and inconsistencies in submitted documents. Camden will commission Campbell Reith to prepare a BIA pro-forma template.

Overall it was concluded that the process provides consistency in determining the policy compliance of Basement Impact Assessments, has reduced the administrative overhead for officers and provides a professional technical service which meets the key requirements of the Terms of Reference. A further review will be held within the next 2 years which will seek the views of third parties and will examine whether it is possible to identify whether positive causal outcomes at the basement construction stage can be linked to the improved BIA audit process.

A number of minor actions were agreed to improve the reporting process, invoicing and control of revised documents.

Review in Detail

Held at 5 Pancras Square, 28th April 2017.

Attendees

Campbell Reith

- Liz Brown (LB)
- Graham Kite (GK)

London Borough of Camden (Regeneration and Planning)

- Libby Beaumont
- Gavin Sexton
- Neil McDonald
- Gavin Polkinghorn
- Darren Mackin

The review took the form of an informal discussion.

Survey results

The general response from surveyed officers was that the initial stages of the audit tend to be timely, predictable and well managed and it is acknowledged that in general the first draft of the initial Audit report tends to come out on time. LB advised that Campbell Reith have a controlled and managed process in place.

Generally speaking Campbell Reith review the content early and will comment on whether there are potential big issues, which officers find very helpful. Officers strongly support this approach.

It was agreed however that the revision process is more complex and leads to less predictable timeframes for conclusion.

A discussion followed about the underlying issues that lead to the need for revisions. LB advised that Ground Investigation was often not the biggest issue and that the screening/scoping process appears to be understood by most submitting engineers. LB advised that BIAs need to set out that there is a feasible structural approach to the basement construction and show consideration of this including impact on adjacent structures/infrastructure. However the structural engineering information is often not included and/or is deficient. LB/GK advised that the BIA engineers need to demonstrate their work including assumptions. Another common deficiency is inconsistency between documents where there is more than one author.

BIA Pro-forma

Some engineers appear to have pro-forma BIA documents, which is helpful when the pro-forma is comprehensive, however one issue that arises is that the pro-forma can lead to the BIA being overly generic and not scheme-specific. This can lead to issues being identified which are not pertinent, as well as failing to identify ones which are.

However LB was supportive of the officer suggestion for Camden to own a BIA pro-forma, along the same lines as is used with the Construction Management Plans.

LB also suggested that a 'template contract' between Applicant and Engineer could be helpful, which sets out the extent of issues that need to be covered in the BIA. GK advised that engineers often appear to have ignored the CPG4 guidance but will have read the Audit Terms of Reference.

Action: It was agreed that officers would investigate the possibility of a BIA pro-forma, linked to a revised BIA Instruction Form and a formal need for reference to CPG4 and the Terms of Reference.

It was agreed that a 'Scope of Services' would be a useful supplement to the BIA Pro-forma which would set out a typical scope of contract between an applicant and their engineer.

Invoicing

Recent changes to the invoicing process were introduced to reduce the risk of BIA authors defaulting on incurred Audit costs.

Action: It was agreed that Campbell Reith will invoice Camden in the month that the instruction is received and will issue a monthly summary of all live audits so that the planning officers knew the status of a BIA audit.

Audit report conclusions

It was agreed that Audit Reports should finish with a summary statement which clearly covers:

1. Does BIA comply with CPG4?
If not : then where does it fall short?
If it does then highlight any issues are that need particular attention during the construction process for inclusion in the compliance condition.
2. Is a Basement Construction Plan (BCP) required and if so why it is considered necessary?

It was agreed that where Campbell Reith identify the need for a BCP they would be prepared to review the s106 clauses, where requested, to ensure that the legal agreement reflects site-specific requirements.

Revisions

LB advised that in general revisions get added to Appendix 3 of their Audit Report. However officers are concerned that there is a risk that these appendices may get overlooked in decision notices if they are not sent directly to the case officer.

LB advised that Campbell Reith will probably need to revise their conventional turnaround estimate for revisions from two weeks to three to four weeks, to better reflect reality.

Action: it was agreed that small revisions (eg email clarifications) shall be put in the BIA Audit appendix and will be referenced in the conclusion. However all new or significantly revised documents shall be sent direct to the case officer by the Campbell Reith auditor as soon as it is received so that it can be put on the planning website.

LB identified that from time to time applicants may not have appointed an engineer: which leads to delays in agreeing the BIAs. This basic minimum requirement would benefit from being identified in the Scope of Services' discussed above.

Damage categories

It was agreed that BIAs must make it clear what efforts have been made to minimise the impact on neighbouring properties and these will need to be discussed in the BIA audit report where there are potential impacts to stability and/or the water environment. The developer will need to have a structural engineer on board and there will need to be clear evidence that the damage estimates are based on an understanding of how the basement will be constructed.

It was acknowledged that issues arise relating to ground movement assessment and the fact that there is no certified guidance on estimating damage from underpinning. From time to time BIAs assert that their damage estimates are made on the basis of experience of the extent of movement, but without an evidence base. In general it is essential to see more evidence than a statement of experience. This will need to feed into the pro-forma.

LB advised that a further issue about supporting BIAs relates to the qualifications of the authors. This issue needs to be front loaded into the pro-forma.

Action: LB advised that Campbell Reith would review the qualifications identified in the CPG.

Training for officers

The need for a refresher training session with officers was discussed. It was agreed that this could follow completion of the Pro-Forma.

Committee

Officers advised that the general sense from planning committee is that the Audit process fulfils a need. This is evident from the fact that less time is spent discussing the technical details of BIAs during committee since the Audit process has been put in place and

Members have not taken issue with Campbell Reith's recommendations in respect of their auditing of BIAs.

There is also no significant evidence of complaints from residents/neighbours about the process or the outcomes of the BIA audits.

Conclusion

Subject to the action points agreed above to address minor issues it is considered that the Audit process is a success in terms of meeting the Terms of Reference. The process provides consistency of advice which enables well-informed and reliable decision making on Basement matters. The administrative overhead has been centralised within the service which has led to significant benefits for case officers. It has also enabled BIA audits to start more rapidly. The quality of Audit Reports is high and the minor improvements discussed above will further assist in ensuring clarity of the Audit recommendations. It is expected that the publication of a Pro-Forma will help to ensure greater consistency of BIAs from applicants at the point of application, which should help to reduce the likelihood of revisions, with their prolonged timescales.

It is acknowledged that this first process review has taken place without input from third parties such as Members, applicants or the neighbours of basement developments. However it was considered necessary to limit the scope of the first review in order to establish whether the process is fit for purpose.

On the basis of the positive outcomes from this session it is considered that a subsequent review should examine the process from a broader perspective. This could include:

- a review of value for money,
- feedback from third parties and
- lessons learned from an examination of the outcomes from basement construction following BIA reviews

Appendix - Survey Results Summary

1. How do you rate [1-5] Campbell Reith's timeliness in responding to your requests for Audit categories and timeframes at the start of the process (A, B, C etc)?

- 1 - consistently poor
- 2 - sometimes poor, sometime good
- 3 - average
- 4- more good than poor
- 5 - consistently good

Average score : 4.4 (out of 5)

2. How do you rate [1-5] Campbell Reith's success in meeting their quoted timeframes for sending you their initial report following instruction?

Average score : 3.5 (out of 5)

3. How do you rate [1-5] Campbell Reith's timeliness in general?

Average score : 3.8 (out of 5)

4. How do you rate [1-5] the quality of CRs contact with you? ie do you feel that there is enough dialogue from them?

Average score : 3.8 (out of 5)

5. Many BIAs need revisions - how do you rate [1-5] CRs performance in reviewing revisions and drawing together their conclusions?

Average score : 4.1 (out of 5)

6. How do you rate [1-3, see below] the overall process for commissioning BIA audits from Campbell Reith?

- 1 - difficult to follow, problems experienced regularly
- 2 - relatively easy process to follow but issues still arise
- 3 - good process, few problems experienced

Average score 2.3

7. How do you rate [1-3, see below] the current process for seeking revisions in terms of ease of use? (ie publication of initial report, officer securing further agreement from the applicant to pay for more audit, applicant amending BIA and passing it officer, then CR completing the final audit)

- 1 - difficult to follow, problems experienced regularly
- 2 - relatively easy process to follow but issues still arise
- 3 - good process, few problems experienced

Average score 2.2

8. How do you rate [1-5] Campbell Reith's reliability and dependability once they have been sent all the relevant information? (ie notwithstanding the delays in the process while waiting for revisions etc)

Average score 4.5 (out of 5)