

including, where thought necessary, a project manager. On the other hand, Stuart Hendy believed that at the end of the day it was quality that was the most important aspect of all.

John Sims summed up the proceedings in a delightful way. He described how the United Kingdom building industry was potentially the most efficient in the world but it did suffer problems because of the large number of disputes that arose, relating principally to direct loss and expense. All the necessary machinery is available but it does need maximum co-operation between all parties. "Too often", said John Sims, "the signing of the contract seems to be regarded as a declaration of war yet, in fact, it ought to be a pact of co-operation". It should be the combined aim of all parties to the contract to supply the client with the type of building he wants, in the prescribed time and within the anticipated cost. Many of the

problems seem to stem from the attitudes that had developed within the industry and many seem to arise from the notices which contractors are duty bound to serve upon architects. The architect often seems to be aggrieved when he received a large number of letters from the contractor and yet he would also be disturbed if he received no letters at all, but a request for an additional sum at the end of the contract with no prior notice. It was also a bad approach for the architect to adopt the attitude that he should resist all claims – it is without doubt the architect's responsibility to ensure that the contractor receives full payment for the work that he has done and that he is adequately reimbursed any loss of expense to which he is subjected as a result of disturbance of the regular progress of the work by matters outside his control.

Surveyors Fee Scales

The Report by the Monopolies and Mergers Commission on the supply of surveyors' services with reference to fee scales was published in mid-November 1977. We reported the main recommendations, together with the initial reaction of the Institute, in the November/December 1977 issue.

A great deal has happened since then. Roy Hattersley, the Secretary of State for Prices and Consumer Protection reported in Parliament that he had accepted the report and had asked the Office of Fair Trading (OFT) to discuss its implications with the professional bodies concerned before any action was decided. The Institute's negotiating team, consisting of the President, Mr. Forde (Past President), Mr. Ashford (Vice-President) and the Director had three meetings with Mr. Glaves-Smith, Deputy-Director OFT, and his staff over the period from December to March, and the matter was discussed by Council in April before our views were put formally to OFT. Some progress was made. The Institute agreed that amendments should be made to Bye Laws 19(6), 19(7), 19(10) and 37, to make it clear that our fee scales were recommended and not mandatory, but was unable to accept that there should be unrestricted competition over fees, or that the scales negotiated with associations of clients should be subject to further re-negotiation between individual suppliers and clients. We also agreed to co-operate in the formation of an independent committee to issue future fee scales provided that the interests of the profession and the Institute are represented on such a committee. OFT reported on these discussions to the Minister in May.

The Institute's representatives also had several meetings with RICS, RIBA and other interested institutions in an attempt to establish a common front. These meetings were in general successful, and led to basic agreement on a number of important principles although at the end of the day there were some differences between RICS and ourselves. The Minister had already agreed to meet the President of RICS and RIBA but it was felt to be important that the Institute should put its own point of view directly. Our request was granted, and the incoming President, together with Mr. Ashford and the Director, had a meeting with John Fraser, the Minister of State at the Department of Prices and Consumer Protection, on 17th July 1978.

The matter now rests with the government. The Institute believes that it has made a genuine attempt to meet as far as possible the wishes of the government but professional institutions also have a very clear duty to the public and there is therefore a line beyond which further concessions cannot be made. We hope that the Minister will heed our views.