

Why the adjoining owner's surveyor needs an engineer?

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There are a number of reasons why there is an increasing need for adjoining owner's surveyors to consult an engineer about structural aspects of work to and affecting party walls. Readers may be surprised to learn that these reasons are not based on keeping me in the state to which I have become accustomed in my "retirement", but are due to changes in the ways building contracts are organised, to changes in professional relationships and to pressures to minimise fees, all of which are inter-related.

Up to about 20 years ago in the area covered by the London Building Acts, which was the only place party wall procedures were followed before the Party Wall etc. Act was passed, (*pace* Bristol and Liverpool, but I don't think you ever took it really seriously), architects frequently accepted appointment as surveyors for their projects and their engineers had a complete brief including overseeing temporary work. The architects administered the provisions of the Acts uncontroversially and their consulting engineer looked critically at the temporary works. Those temporary works were usually designed by the main contractor's engineering department and were supervised by the contractor's site manager or agent and general foreman. The surveyors appointed by adjoining owners ended up with not much more than a minor monitoring role.

Now all has changed. Architects are unwilling to take on appointment as Surveyor, particularly if their clients expect them to roll that work up in an overall reduced fee, and many are now not taught or not willing to learn about party wall procedures, which they consequently regard as something of a black art, and are unwilling to accept that professional responsibility. This results in a separate appointment of a party wall surveyor by the building owner.

Many consulting engineers are nowadays increasingly reluctant to become involved with the temporary works that frequently have the greatest implications for adjoining buildings, for which they give two reasons. They see their job as designers of permanent works, leaving the builder to decide and know how to build them. They justify this abrogation of their responsibilities by reducing their quoted fee by excluding any involvement with temporary works, perhaps to gain an advantage over the competition in these days of fee tenders and lowest first price wins.

This leaves the contractor with the sole responsibility for temporary works. Since today in most cases he is little more than a manager, he passes this responsibility on to a sub-contractor, who probably has an ill-defined brief and whose price has been ground down to a minimum, and leaves that sub-contractor to get on with the work without any effective supervision. This applies irrespective of the contract arrangements, be they management construction, construction management, lump sum or design and build.

The surveyors appointed by adjoining owners are therefore faced with a building owner's surveyor who has difficulty extracting documents to explain the works and attach to awards from a professional team on reduced fees and from a contractor who is one or more removed from the individuals actually doing or organising the works. The impact of this extended chain of responsibility has the greatest effect on the temporary works involved in the maintenance of the support and restraint to party walls when buildings are demolished and on the safeguarding of the foundations to party walls and adjoining buildings as excavation proceeds. These are the structural matters on which adjoining owners' surveyors naturally wish to have their own independent advice and now frequently appoint their own engineer.

The other aspect of the matter which is liable to fall between stools is the transition between the work of different sub-contractors, where the main contractors, or rather managers, for whom they are

working do not consider let alone appreciate the need for the same degree of support and restraint to be maintained at all times from the start of demolition to its final reinstatement by the permanent building. If there is no-one on the building owner's side checking to see that this is adequately addressed, the adjoining owner's surveyor is left with no alternative to seeking his own advice on this too.

This tendency for consulting engineers to limit their involvement to the design of the permanent works may be because they have been forced by fee competition to curtail their brief, and may be also or alternatively due to their lack of interest in and knowledge of historic building construction, which means they fail to understand or appreciate the implications of what they are trying to do. This renders the adjoining owners' surveyor's engineer's role crucial, to draw the building owner's team's attention to the need to address the effects of their work on their neighbour's buildings at all times, and persuade them to arrange the work to minimise those effects.

It is perhaps sad to relate that I need more than the fingers on my two hands to count the times that I have been able to avert almost certain gross movement and possible collapse of adjoining buildings, because the dilapidated condition of the wall and the adjoining premises has not been appreciated, because the existing construction has not been adequately investigated or has been misunderstood and because the lateral forces exerted by the ground have been similarly not been appreciated or grossly underestimated.

It is yet another thing to John Anstey's credit that he involved me, an outsider, in the Pyramus & Thisbe Club and supported my championing of the engineer's role in party wall work, which changing circumstances in the building industry is making more and more important, and in some cases vital. The difficulty is recognising at the outset where it will be vital! Hence it is becoming more and more the norm for adjoining owner's surveyors to seek engineering advice in all but the very simplest party wall Act affairs.

There are however fortunately exceptions to prove the rule. There are still building owners about who appoint consultants on a full brief, who themselves consider all the possible effects and implications of their work on adjoining buildings. When one happily encounters building owner's advisers like this, the adjoining owner's surveyor's engineer's task is easy and reverts to one of monitoring the proposals and his fee is consequently exceedingly moderate.

Postscript

A colleague has pointed out that I have failed to mention all the mundane but nevertheless important and valid reasons why an adjoining owner's surveyor seeks a structural engineer's advice, such as:

- *anything accompanied by structural calculations which the appointed surveyor is reluctant or perhaps forbidden by his PI insurer to check,*
- *increases in load due to raising or to inserting new beams on padstones,*
- *cutting off projections and chimney breasts,*
- *removal of thickening,*
- *underpinning particularly partial,*
- *'special' foundations,*
- *nearby excavation and/or piling,*
- *scaffolding on or over the adjoining building,*

and indeed anything requiring engineering judgement and/or negotiations with the building owner's engineer.

In these respects too, if the building owner's engineer mentally transposes himself to the other side and behaves and carries out his work as he would hope to find it carried out, all will be simple and straightforward.