

Our Reference: RFI: 6025-12

**BY EMAIL ONLY**

26 October 2012

Dear Mr Handley

**Request for Information**

Thank you for your email dated 28 September 2012 requesting information on Lightmoor Village, Telford and details of quality assurance (QA) in place. For clarification your request is below:

Can you please supply me with following in relation to Lightmoor Village, Telford. under the banner "Joint Venture"

1. Details/ processes of QA to ensure the quality of the works that were being completed was to an acceptable standard.
2. If this was carried out by a clerk of works, is this person employed direct or contracted?
3. Copies of any reports generated as part of the quality inspections.

Your first two queries have been answered in full and are set out below;

**1. Details/ processes of QA to ensure the quality of the works that were being completed was to an acceptable standard.**

In general terms quality assurance (QA) in building and infrastructure works is governed through Building Regulations, statutory adoption agreements (S.38 Highways Act for roads; S.104 Water Industry Act for drainage) and through the Town Planning system.

The Lightmoor Joint Venture (JV) does not operate a formal system of QA for works by third party developers. The statutory controls referred to above are considered sufficient. There is a Lightmoor Design Guide which focuses on materials, architectural treatments and the public realm rather than the intrinsic quality of building works, and compliance with these is contractually incorporated into the development agreements entered into between the JV and developers. A copy of the Design Guide is attached to this letter.

Homes and Communities Agency  
Maple House, 149 Tottenham Court Road, London, W1T 7BN

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homesandcommunities.co.uk

On some phases of Lightmoor's development the JV has required certain nationally accredited quality standards to be met by developers such as *Secured by Design*, *Lifetime Homes* and the *Code for Sustainable Homes*. Their application is not uniform and is reviewed on a phase by phase basis.

For those infrastructure, landscaping and open space works carried out directly by the JV, an appropriate professional team is engaged by the JV with responsibility for ensuring works are delivered to programme, budget, scope and quality parameters.

A recent form of development agreement entered into at Lightmoor does contain specific QA related provisions such as an obligation on the developer to appoint a *Compliance Inspector* and *Development Strategies Inspector*. As the majority of the development agreement is outside the scope of your request, the definitions of such positions have been set out here to assist your understanding:

**"Compliance Inspector"** means a suitably qualified professional or professionals appointed by the Developer from time to time with the approval of the Vendors who is: are

- a) a person registered as an assessor and licence by the Building Research Establishment to certify compliance with the Code; and
- b) qualified to certify the matters required to be certified in the Compliance Certificate.

#### **6. Development Strategies and appointment of the Development Strategies Inspector**

- 6.1 As soon as reasonably practicable after today's date, the Developer shall appoint (with the prior approval of the Vendors) the development Strategies Inspector and such appointment shall be in a form approved by the Vendors and shall be executed as a Deed with the form of Warranty annexed to it.
- 6.2 The services to be provided by the Development Strategies Inspector and specified in his appointment shall include the provision of reports on the Developer's implementation of the Development Strategies in order to be satisfied that the Developer has and continues to comply with the Development Strategies up to the issue of the Final Completion Certificate by the Vendors"

#### **2. "If this was carried out by a clerk of works, is this person employed direct or contracted?"**

The Lightmoor Joint Venture (JV) does not employ a Clerk of Works, Employers Agent or other person in that specific role. However, there is a salaried full-time Project Director (Kevin Webb) employed by our partners Bournville Village Trust (BVT) who reports to the JV and works from BVT's offices at Lightmoor. A part of Kevin's duties include liaison and engagement with developers, and monitoring their progress on site for general compliance with their development agreement with the JV. Kevin also manages the contractors and consultants engaged by the JV.

#### **3. Copies of any reports generated as part of the quality inspections**

We would like to apologise that unfortunately we have not been able to retrieve and collate "copies of any reports generated as part of the quality inspections" in the time limit of 20 working days as prescribed by the Freedom of Information Act 2000 (the Act).

In considering your request we have not identified any reports relating solely to quality assurance however, we have identified that we do hold ( or Bourneville Village Trust (BVT) holds on our behalf) reports generated more generally on the development such as snagging reports and other progress reports issued by the JV's consultants in respect of

works undertaken by the JV. Some of these reports inevitably cover quality related issues and therefore fall within the scope of your request. The Act is 'motive blind' and we would therefore not ask you to inform us of why you wish to see these reports however, as the scope of these documents is large, if you were able to specify either an element of the works at Lightmoor or dates that you are interested in this may help assist us in giving you a more focussed response.

This is **not** a refusal notice under Section 12 of the Act, but as yet it has not been determined if the location, retrieval and extraction of these quality reports would exceed the appropriate limit of £450. If you are not happy to specify which reports you may wish to see, and the work does not fall under Section 12 of the Act, then you will of course be sent a copy of all reports located and this will be completed as soon as possible.

Please do not hesitate to contact us if you have any questions regarding this response or any further queries. If you are unhappy with the way Homes and Communities Agency has handled your request you may ask for an internal review. You should contact

Head of Legal Services  
Homes and Communities Agency  
Maple House  
149 Tottenham Court Road  
London  
W1T 7BN

If you are not content with the outcome of the internal review, you have the right to apply directly to the Information Commissioner for a decision. The Information Commissioner can be contacted at

Information Commissioner's Office  
Wycliffe House  
Water Lane  
Wilmslow  
Cheshire  
SK9 5AF

Yours sincerely

Naomi McMaster  
Information Access Officer  
Homes and Communities Agency