

GOOD PRACTICE IN THE SELECTION OF CONSTRUCTION MATERIALS 2011

A new Good Practice in the Selection of Construction Materials (“Good Practice”) was published on 30 March 2011 by the British Council for Offices. The new Good Practice updates guidance issued in previous versions and gives guidance on use of twelve of the most commonly used construction materials. It also lays increased emphasis on the environmental impact of construction materials.

The first Good Practice was published in 1997 by Ove Arup, sponsored by the British Council of Offices and the British Property Federation. At that time, it was common to come across lengthy lists of prohibited deleterious materials in construction contracts and consultants’ appointments.

Although referred to as deleterious materials, many of the materials were clearly not deleterious, but were perhaps environmentally unfriendly or ethically unacceptable, for example “tropical hardwoods from non-sustainable sources”. The lists were often incoherent, inconsistent, lengthy and illogical. Each employer had its own list with its own idiosyncrasies and the lists rapidly became out of date as technology advanced. The lists were time consuming and therefore costly to deal with for employers, contractors, consultants and sub-contractors, as the parties checked the list and bickered over the items to be included or removed.

The first Good Practice was produced to provide an alternative to this chaotic situation, and it has been a great success. Most construction contracts, where relevant, now incorporate the Good Practice in some way or another and the lengthy list of deleterious materials has virtually disappeared. The Good Practice was last updated in 2002.

Parties drafting or negotiating construction contracts should bear the new guidance in mind and amend their drafting to incorporate the new Good Practice.

Jane Hughes