

## Broadband download rates and reports

**As the world becomes obsessed with broadband speeds, we have noticed an increased media interest. Articles in many national newspapers and features on the TV have started to link broadband speeds with property prices. Employing the usual lack of journalistic balance, headlines like ‘slow broadband wipes 20% off property prices’ are not uncommon. So what is the truth of the matter? Is this something practitioners should be accounting for during valuations? Should we be adding ‘broadband speed assessment’ in our condition reports? In our opinion, this article reviews some of the most important factors.**

### What’s in this issue:

- Broadband downloads and inspections
- CPD dates for your diary;
- Flood Re
- New measurement rules;
- Assessing automatic gates

Whatever our individual opinions, it is clear the development of more powerful smart phones and tablets has resulted in an increased demand for quick and reliable internet access. The modern family watching their cable TV channel while their kids are separately accessing the internet is a picture with which all of us must be familiar. Add to this the increasing number of home workers and it is easy to see why some commentators are calling broadband ‘...the fourth utility’ after gas, electricity and water. Anecdotal feedback from our own directors and other associates also reveals increasing numbers of clients are saying broadband speeds will be an important factor in their purchase decision.



### Assessing broadband speeds

To investigate this matter, we looked at a few properties across England and used Rightmove’s ‘Broadband-in-my-area’ on-line software. This has a post code search facility and shows the broadband speed as an on-screen dial. It also shows whether superfast broadband is available and what things that can be done on a connection of that speed (follow this [link](#) for more info). We looked at the speed in a number of different post code areas:

- A street in Romney Marsh – this showed the slowest rate of 1.19Mbps (mega bytes per second);
- The homes of the directors of BlueBox. These ranged from 2.09Mbps in a small village, 76Mbps for a small market town in East Anglia and two with 152Mbps in established urban areas.

However, this is not the whole story (continued over).

### New Surveyor Comparable Tool from ‘Rightmove’ for SMEs

BlueBox partners has obtained a unique agreement with the country’s leading property portal, ‘Rightmove’. ‘Rightmove Plus’ has now been improved through the development of the **Surveyor Comparable Tool (SCT)** so that finding comparable information is much easier. The **SCT** combines access to the Land Registry data with ‘Birds eye’ and ‘Street view’ all in the same place and much more efficiently. In line with RICS requirements, the reports now provide an audit trail for complete transparency. For more info, please email [info@blueboxpartners.com](mailto:info@blueboxpartners.com)

We are now able to offer a subscription service combined with ‘pay-as-you-click’ access to archived property sales data at a price that is unbeatable anywhere else. We can offer Rightmove Plus (which includes the **Surveyor Comparable Tool**, access to the Rightmove AVM, and Rental comparables) at £70 plus VAT a month, which includes 20 free clicks for the **Surveyor Comparable tool**. This offer is only available through BlueBox partners to small/medium sized firms and sole practitioners. We think this a “must have” for any valuer undertaking residential valuations.

Please contact Chris Rispin on 0345 260 3500, option 2 for more information.

Although the Rightmove facility provides a useful insight, the company point out the following:

- *It is often based on information provided several months ago;*
- *The stated speeds should be available 75% of the time; and*
- *The actual download speeds depend on a variety of factors including distance from the exchange.*

Rightmove also state they ‘...make no warranty expressed or implied with respect to the accuracy of the data’ and given the amount of unpredictable variables, this is a reasonable view.

### **Accurate broadband assessment?**

A more accurate assessment of broadband speeds can be made by testing the actual connection at the property. This can be done using one of the freely available testing ‘apps’ or websites. To test this out I used the broadband speed checker on the Which? website (follow this [link](#)) to test my own house. I have a superfast broadband connection of 152Mbps. I got the following speeds:

- *At 8pm on a weekday evening I recorded 71Mbps on my PC desktop with a direct connection. This was the highest reading during 5 days of monitoring.*
- *This often dropped to the low 40s from time to time – a level of variation common to many broadband users.*
- *When using my tablet through the Wi-Fi system, rates dropped to 20Mbps but increased to 50 when I tested the connection in the same location through my smart phone just a couple of minutes later.*

This points to the variability of the technology as well as the delivery rates.

### **So what should we do?**

Good question. Here are a few of our thoughts:

- Given the variability of broadband services, the assessment software and the type of hardware, we should not offer specific advice on broadband connectivity as part of our standard services;
- We must accept broadband speed is moving up our clients’ priority list and for some, slow speeds can be a deal breaker. We need to respond to this change;
- We should be aware of the main broadband ‘slow spots’ and ‘no spots’ in our own areas. The extent of this knowledge should be based on what information is in the public domain. In other words, what would the reasonable surveyor know?
- The issue is likely to be most important for rural property; and
- It may be appropriate to ask the vendor, ideally in the ‘seller’s checklist’, their view of the download speeds as part of the ‘due diligence’ data gathering exercise. Or at least while you’re getting to know them over a cup of tea !

In terms of reporting on the matter, the most appropriate section in a RICS HomeBuyer Report and a Building Survey is likely to be the section titled ‘*Other services or energy sources*’ in section D ‘*About the property*’. Although the approach may change over time, an appropriate phrase could be:

*‘I have not carried out an assessment of broadband speeds for this property. If this is important to you, it is essential you check with your preferred broadband provider or request a speed test at the property when you visit and certainly before you commit to the purchase.’*

If you know an area has a problem with broadband speeds, you may consider the following:

*Although I have not carried out an assessment of broadband speeds for this property, it is likely connections to the internet may be severely limited in this area. If this is important to you, it is essential you check with your preferred broadband provider or request a speed test at the property when you visit and certainly before you commit to the purchase.’*

What do you think? Do you do this already or do you never mention broadband. Email your views to [info@blueboxpartners.com](mailto:info@blueboxpartners.com)

# The SAVA School of Surveying - the Diploma in Residential Surveying and Valuation (DipRSVal)

As the first group of new entrants reach the end of the taught part of their course and enter the assessment phase of their studies, we are pleased to say several learners have already got jobs within the residential sector.

As many readers will recall from previous newsletters, the Diploma in Residential Surveying and Valuation (DipRSVal) sets a new benchmark for specialist residential surveyors and is recognised for direct entry to RICS at Associate member level in the Residential Survey and Valuation pathway. It is a Level 6 qualification, equivalent to a university degree level. Students completing their training requirements with the SAVA School of Surveying are able to gain direct entry to RICS and Associate member status (AssocRICS), and can also join the SAVA Scheme to produce the Home Condition Survey (HCS).

If you or one of your employees are interested in studying for the Diploma in Residential Surveying and Valuation please visit SAVA's website at [www.savaschoolofsurveying.co.uk](http://www.savaschoolofsurveying.co.uk).

## Plan your CPD with BlueBox

At this time of the year, we expect you are just about to shut down your firm for the summer and go off to your holiday home in southern Italy for a couple of months (yes, we are joking). Before you zip up your suitcases, we thought you might want to forward-plan your CPD and be ready for the end of year deadline in December. Our CPD activities for 2015 include:

### Professional Conferences

Both Phil Parnham and Alan Appleby of BlueBox will be speaking at Professional Conferences' 'Current issues in Residential Property 2015'. These will be held at the usual venues across the country between September 29<sup>th</sup> and November 24<sup>th</sup> 2015. The topics include:

- *spotting, assessing and reporting on building movement - what to do when the earth moves;*
- *evolution of damp diagnosis - surveying and reporting to fit the changing housing and social scene;*
- *the valuation battleground - letters from the trenches;*
- *leasehold enfranchisement - what you need to know;*
- *below ground drainage problems - not what they are cracked up to be;*
- *Red Book and valuer registration - reduce risk through compliance - insight from the RICS.*

For more information, follow this [link](#).

## BlueBox partners/SAVA CPD sessions, autumn 2015

BlueBox are continuing to develop their partnership with SAVA and have one course before the summer:

**July 9th 2015 - Problems with roof structures and covering.** This course will cover the nature of the different roof coverings; how they interact with the roof structure and other parts of the building; how to assess their performance; and how to report on the implications.

For more information on these courses and to book your place, visit SAVA's website by clicking this [link](#).

Although we have not fixed dates yet, we plan to offer a number of CPD workshops in the autumn on those perennial core topics always requested by practitioners. These include building movement; dampness; timber problems and building services. We also hope to offer these in a Barnsley conference centre as well as the usual venue at Milton Keynes. These workshops will be suitable for:

- *Trainees and those at APC level;*
- *Experienced surveyors and valuers who want to specialise in condition reports;*
- *Practitioners who want to broaden and deepen their knowledge and reflect on their own practice.*

We will include the dates in the next newsletter but you can also check out SAVA's own schedule of CPD activities at <http://www.nesltd.co.uk/training/residential-surveyor>

# 'Flood Re' – the implications for valuers and surveyors



**The frequency of major floods in most parts of the country has made the availability of flood insurance central to many property transactions. Insurance companies are beginning to 'red-line' vulnerable areas and either offer very expensive cover or, in some cases, refusing insurance altogether. The government and the insurance industry have been trying to come up with a way of making sure all households have access to affordable flood insurance. Now the election is over, the Flood Reinsurance scheme (or 'Flood Re' as most people call it) is likely to get finally approved and agreed in the near future. However, at conferences and workshops when we ask 'what is Flood Re?' - we are usually met with blank stares.**

Luckily, a concise and timely summary of the current situation has been published in a newsletter from the law firm RPC. If you want to download a full copy, follow this [link](#). We have summarised the main points below.

## **The Flood Reinsurance scheme**

*Flood Re* aims to make sure domestic residential property in high flood risk areas have access to affordable flood insurance. In these areas, the flood element of household insurance policies will be placed with *Flood Re* and priced according to Council Tax bands – from £210 for Band A homes to £1,200 for Band H homes. Any claims by policyholders will be paid by insurers in the usual way and *Flood Re* will then reimburse the cost of the flood-related elements of claims.

The scheme will be paid for by an annual levy (currently set at £10.81) on each residential insurance policy in the country. Because a reserve will take some time to build up, *Flood Re* will have the power to call for additional contributions from the industry should the money run out in the early years. The scheme is expected to have a lifespan of 25 years. During this period, it is hoped that improved flood defences will lead to a gradual transition towards more risk-reflective prices for consumers.

## **Who will be covered?**

Not all properties will be covered by this arrangement. The excluded categories include:

- Properties built after 2009. This is to discourage development in flood prone areas;
- Any business premises and most flats. This may include some residential buy-to-let properties classed as business premises.

Tenants of properties not covered will still be able to get their contents insurance supported by *Flood Re*.

## **Advice to surveyors and valuers**

When a law firm offers advice to residential practitioners it is usually worth listening! They suggest we should:

- Get to know the RICS Guidance Note '*Flooding: issues of concern to RICS surveyors and valuers (Residential property)*'. 1st edition 2015. It describes how to deal with properties at risk and highlights key features which will help assess the market value of those affected properties;
- Remain extra vigilant where properties are not covered by Flood Re. This could have a severe detrimental effect on the property's value. A failure to spot a risk of flooding, or to advise that a property may not be covered by Flood Re, could result in a significant overvaluation. This could give rise to a costly claim by a lender or purchaser;
- Keep up-to-date with developments as it is always the surveyor's duty to assess the impact of flooding on the value of a property using the standards in place at the time. These standards are likely to change over the next few years.

Where a property is close or in an area that could be at risk of flooding, the following paragraph might be appropriate for a HBR under section D 'Environment':

*According to the Environment Agency (the Government organisation responsible for flood control <http://maps.environment-agency.gov.uk>), the home is close to an area vulnerable to surface water/river flooding. You should ask your legal adviser about this and check with your insurer as you may find it difficult to get insurance cover for this property. If this is the case, it may affect the future value/saleability of the home (see section I).*

What do you think? Send your thoughts to [info@blueboxpartners.com](mailto:info@blueboxpartners.com)

# International Property Measurement Standards

RICS along with numerous other bodies throughout the world have been working on a new measuring standard that will eventually address all property types. Currently, the standards relating to Offices have been published and the one for Residential is available for consultation.

The new guidance on offices takes three forms:

- *The International Property Measurement Standard which is produced globally and to which individual countries can determine how that will apply to their own nation;*
- *For the UK we have the Professional Statement, which sets down the mandatory requirements for RICS members (this currently only applies to Offices); and*
- *The Code of Measuring Practice, which sets down best practice for all RICS members. This Code has been revised for offices, but is currently broadly the same for all other property types.*

The international standard aim is to establish universally agreed best practice and promote confidence among end users of surveying professional services. The guidance should be adopted unless the client requests otherwise. Compliance with the Professional Statement must be demonstrated if RICS Regulation undertake a review of your files and the effective date for Offices is 1<sup>st</sup> January 2016.

It is not the purpose of this article to go into any detail on the new guidance as you must read the document yourself but we will highlight a few key points:

- The Standard has introduced new terminology and within the guidance there is an explanation of how the new references relate to the old interpretation.
- There are detailed drawings setting out how measurements should be undertaken depending on which standard you are required to work.
- For offices, you will now need to make a statement on both your site notes and the report to confirm what measurement system you have used.
- For comparison purposes you will need to know what measurement system has been used and ensure that you are comparing like with like. This should be no different from what you do currently as numerous methods could have been adopted under the old codes.
- The importance of the documentation and what aspects are mandatory for RICS members is set out in the document.

You will need to go online to the RICS website to see the consultation for residential property measurement (follow this [link](#)). This allows for various methods including both Gross Internal and Gross External, but these now have different names and definitions. The big debate will be which system is to be adopted by residential valuers and their clients and that has not yet been determined.

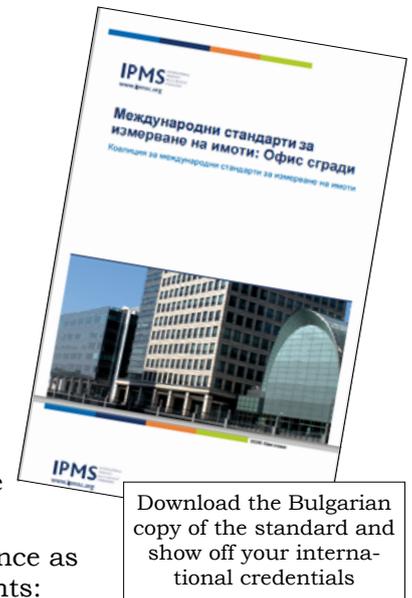
## Conflicts of interest and Expert Witnesses

### **EXP v Charles Simon Barker 7 May 2015 EWHC**

This was a clinical negligence case but contains another stark reminder and warning to the position of an expert who has a conflict of interest. The medical expert for Barker ("B"), a Dr Molyneaux ("Dr M"), had, it emerged on cross examination, had a lengthy and extensive professional and personal connection. This included writing papers together, training and mentoring, and serving on the same committees. They both worked at the same hospital.

Counsel for 'B' said it did not affect 'Dr M's' impartiality but the court rejected that submission. The court described the situation as chaotic with the extent of the connection only being revealed in cross examination. The court was concerned about the independence of 'Dr M' in the case, and while it declined to rule that the evidence was inadmissible, it did say that its value was severely affected by these matters. The claimant won on liability.

Judging by the same faces we at BlueBox see on various working parties and committees, it is likely many surveyors could find themselves in the same situation. The conflict of interest as an Expert Witness is wide ranging and you need to check with the instructing solicitor if you think there may be anything in your past that could pose a threat to your perceived independence.



## Assessing automatic entrance gates

Many readers will remember the tragic deaths of two children crushed by automatic gates in two separate accidents in different parts of the country in 2010. Since these incidents, the Health and Safety Executive (HSE) and a number of trade related organisations launched several initiatives aimed at improving standards. For example, Gate Safe (<http://www.gate-safe.org/>) is a charity established to call for tighter guidelines and legislation in a bid to prevent any further loss of life and the Door and Hardware Federation (DHF) are running a gate safety week in October ([www.dhfonline.org.uk](http://www.dhfonline.org.uk)).

Although the issue has fallen out of the headlines, people are still being killed and injured in gate related accidents (9 deaths since 2010 according to Gate Safe). DHF also claim as much as 90% of the estimated 500,000 existing installations may still be unsafe – a massive percentage by any standard. To help residential practitioners understand their own role, this article looks at how ‘powered perimeter gates’ can be assessed during inspections.

### HSE guidance

The HSE have issued a number of safety bulletins since 2010 and they can be found by following these links: [link 1](#) and [link 2](#). According to the HSE, most of the deaths occurred where people became trapped in the powered perimeter gates because their presence at the closing edge was not detected and/or the closing force of the gate they obstructed was too high.



Typical powered perimeter gate. These are becoming more popular on property of all types.

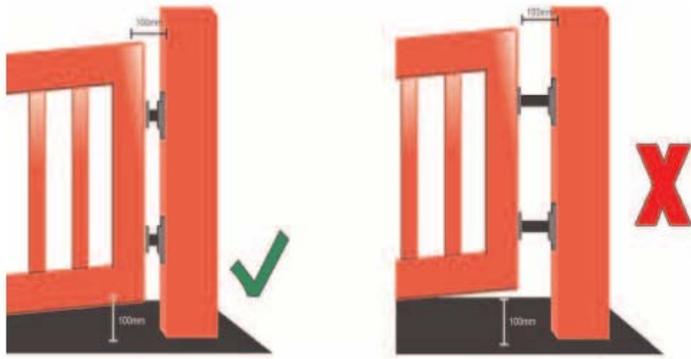


This is one half of the light beam across the opening. When the gate was shutting, I walked through the beam, the gate stopped and then opened.

These HSE bulletins provide very detailed guidance but the most relevant advice for residential practitioners includes:

- The gate should be maintained by a reputable company who regularly tests the safety features of the gate. The person responsible for the gate should keep a log of maintenance visits and you should ask the vendor to show you this.
- The gate maintenance company should show the person in control of the property/block how to release the gate in an emergency (it should be easy and quick to do). You should ask the vendor/occupant if they have been shown how to use the gate.
- Although we are not engineers, the following features may indicate the gate is at least partly compliant:
  - There should be a ‘safety edge’ (usually rubber "buffer" strips) running the full height of the edge of the gate;
  - The installation should have light beams across the opening to detect a person or object in the way of the closing gate;

*(continued over)*



Gaps or spaces over 100mm should be avoided

- The gate should have a 'force limitation device'. However, this is unlikely to be enough to stop injury on its own and in any case, surveyors should not be expected to recognise these components;
- There should be fixed guards at other vulnerable areas. For example, where the vertical bars of a gate slide close to the vertical bars of a fence.
- Gates installed after 2006 should be 'CE' marked and the installer should have given the building owner a 'Declaration of Conformity'. If the vendor or their agents are unsure about these matters, it could be a reason to doubt the safety of the installation.

If the installation falls short of this standard, then, in our view, a condition rating three would be appropriate and a recommendation the vendor should provide all the necessary information to show conformity with HSE regulations. If this cannot be provided, then not only will it be relatively expensive to improve or replace the gate, it could present a serious safety risk to occupants and their visitors. In terms of reporting, for flats the matter should be covered in G7 'Common services'. For individual dwellings, you could consider E9 'Other' or H2 'Other'. You may find the following text of interest for HBRs:

**For gates that appear satisfactory**

*The entrance to the property is fitted with electrically operated automatic gates. The vendor provided me with documentation that indicates the gates have been properly installed and regularly maintained although you should ask your legal adviser to check the authenticity of this evidence (condition rating 1).*

**For gates that appear below standard**

*The entrance to the property is fitted with electrically operated automatic gates. The vendor could not provide me with evidence these gates have either been installed or maintained properly. Automatic gates without appropriate safety features can pose a serious risk to occupiers and their visitors (condition rating 3). You should ask an appropriately qualified person to inspect the installation and provide you with a report before you commit to the purchase. Alteration or replacement of the gates can be costly.*

As always, email your views to [info@blueboxpartners.com](mailto:info@blueboxpartners.com)



This label is on the small box containing the control gear just to one side of the gate. The CE mark can clearly be seen.

**Contact**

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