

The Building Regulations - Short notes and explanation by Bill Hayes. In many cases difficult to apply to buildings that are not new. Complex and not easy to understand even for professionals.

The Building Regulations are divided into ten sections:-

1. Interpretation.
2. Control of building work.
3. Notices, plans and certificates.
4. Supervision other than by Local Authorities.
5. Self-certification schemes.
6. Energy Efficiency requirements.
7. Water efficiency.
8. Information to be provided by the person carrying out the work.
9. Testing and commissioning.
10. Miscellaneous.

The Building Regulation Schedules are:

1. Requirements (Parts A – R).
2. Exempt buildings.
3. Self-certification schemes.
4. Work where no application is required.

Controlled work is:

1. Erection or extension of a building unless it is exempt.
2. A material change of use of a building.
3. Provision or extension of a controlled service or fitting.
4. A material alteration to a building, controlled service or fitting.
5. Inserting insulating material to a cavity wall.
6. Underpinning.
7. Change of energy status to a building or part of a building.
8. Work to thermal elements.
9. Consequential improvements to buildings over 1,000 square metres.

There are three routes to get approval.

1. Local Authority Building Control.
2. Approved inspector.
3. Competent Person Scheme.

Since 2013 the Local Authority must issue a completion certificate if satisfied with the work. An approved inspector issues a final certificate but this may have exemptions and other certification may be required. Competent Person Scheme contractors issue a compliance certificate to the owner and the scheme operator who then issues a certificate to the Local Authority.

Responsibility for compliance before the work is carried out is the person intending to carry out the work. During the course of the work it is the person carrying out the work. Enforcement concerning unauthorised works is through a Magistrates Court. The action is against the person carrying out the work if caught within two years of the work being carried out and against the property owner if caught within one year of the work being carried out. The Local Authority may carry out remedial works to correct defective premises and charge the owner.

The consequences of carrying out unauthorised works could be that Building Insurance may be invalidated.

The resolution is to obtain a regularisation certificate only available from the Local Authority.

Insurance against enforcement may be irrelevant due to the length of time since the work was carried out, as the Local Authority may not be able to enforce the claim.

BH SURVEYORS LIMITED 16/12/2016 THIS IS NOT LEGAL ADVICE